

# COUNTY COMMISSION- REGULAR SESSION

**DECEMBER 19, 2011**

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, DECEMBER 19, 2011, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE STEVE GODSEY, COUNTY MAYOR, JEANIE GAMMON, COUNTY CLERK OF SAID BOARD OF COMMISSIONERS,

TO WIT:

**The Commission was called to order by Mayor Steve Godsey. Sheriff Wayne Anderson opened the commission and the EMS Chaplain gave the invocation. The pledge to the flag was led by the EMS Honor Guard.**

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

<b>CATHY ARMSTRONG</b>	<b>TY BOOMERSHINE</b>
<b>MARK BOWERY</b>	<b>BRYAN K. BOYD</b>
<b>LINDA K. BRITTENHAM</b>	<b>MO BROTHERTON</b>
<b>DARLENE CALTON</b>	<b>JOHN K. CRAWFORD</b>
	<b>JOHN GARDNER</b>
<b>TERRY HARKLEROAD</b>	<b>JOE HERRON</b>
<b>BAXTER HOOD</b>	<b>DENNIS HOUSER</b>
<b>MATTHEW J. JOHNSON</b>	<b>BILL KILGORE</b>
	<b>ED MARSH</b>
<b>WAYNE MCCONNELL</b>	<b>RANDY MORRELL</b>
<b>BOB NEAL</b>	<b>MIKE SURGENOR</b>
<b>R. BOB WHITE</b>	<b>EDDIE WILLIAMS</b>

**22 PRESENT 2 ABSENT (ABSENT-FERGUSON, KING)**

The following pages indicates the action taken by the Commission on re-zoning requests, approval of notary applications and personal surety bonds, motions, resolutions and other matters subject to the approval of the Board of Commissioners.

Motion was made by Comm. Crawford and seconded by Comm. Morrell to approve the minutes of the November 21, 2011 Regular Session Of County Commission. Said motion was approved by voice vote.

# Sullivan County

3258 HWY. 126  
SUITE 101  
BLOUNTVILLE, TENNESSEE  
37617



BRANCH OFFICES  
Tennessee Courthouse — Bristol  
Bristol 989-4366  
City Hall — Kingsport  
Kingsport 224-1790

**Jeanie F. Gammon**

County Clerk  
Phone 323-6428

November 30, 2011

RE: Correction to November 21, 2011 Minutes

Please find attached a copy of a correction to the minutes of November 21, 2011. I have attached the original (incorrect) page followed by the correction that has been made to the minutes. The mistake was on the tally of the votes taken on Resolution No. 2011-10-92 and should have read 16 Aye, 6 Nay, 1 Pass and 1 Absent. The docket book was correct, the problem was in my fingers when I typed in the tally.

*Jeanie Gammon*

Sullivan County, Tennessee  
Board of County Commissioners

Item 5  
Executive  
No. 2011-10-92

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of October, 2011.

**RESOLUTION To Adopt A Reapportionment/Redistricting Plan For Sullivan County**

**WHEREAS**, Tennessee Code Annotated, Section 5-1-111, requires that, at least every ten (10) years, county legislative bodies shall change the boundaries of districts or redistrict a county entirely if necessary to apportion the county legislative body so that the members represent substantially equal populations; and

**WHEREAS**, Sullivan County has prepared a plan consistent with the provision of Tennessee Code Annotated, section 5-1-111, which provides for a county legislative body composed of twenty-four (24) members and which creates eleven (11) districts, as depicted on the official redistricting map for Sullivan County prepared pursuant to Tennessee Code Annotated, Section 5-1-110.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize that:

**SECTION 1.** There is hereby adopted a reapportionment plan for Sullivan County which provides for twenty-four (24) Commissioners with three (3) Commissioners in districts two (2), four (4), six (6) and eleven (11) and provides for two (2) Commissioners in districts five (5), seven (7), eight (8), nine (9) and ten (10), with one (1) Commissioner in districts one (1) and three (3). The districts for members of the county legislative body are depicted on the official redistricting map for Sullivan County prepared pursuant to Tennessee Code Annotated, Section 5-1-110. A copy of the redistricting map will be attached as Exhibit A to this resolution and is incorporated herein as reference.

**SECTION 2.** All members of the county legislative body shall be elected at large within the district wherein the candidate seeks election. The candidates receiving the greatest number of votes in each district, pursuant to the number of seats in each district as described in Section 1, shall be elected.

**SECTION 3.** This plan shall take effect upon passage, the public welfare requiring it, provided that vacancies shall be filled in accordance with Tennessee Code Annotated, Section 5-1-104.

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this 21st day of November 2011.

Attested: Jeanie Gammon Approved: Steve M. Godsey  
Jeanie Gammon, County Clerk Steve M. Godsey, County Mayor

Sponsored By: W.G. "Bill" Kilgore  
Prime Co-Sponsor(s): Dwight King, Randy Morrell, Terry Harkleroad, Bryan Boyd,  
James "Moe" Brotherton, Mark Bowery

2011-10-92	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Failed 11-7-11	Approved 11-10-11	Approved 11-1-11	Approved 11-21-11 8 Aye, 15 Nay, 1 Pass, 1 Absent

Notes: 1st Reading 10-17-11;

Note: Request made 10-17-11 by Ed Marsh to be removed as a Co-Sponsor  
Motion to defer made by Surgenor, seconded by Hood 11-21-11; motion failed by roll call vote.

Sullivan County, Tennessee  
Board of County Commissioners

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Executive  
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Approved this 21st day of November 2011.

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Jeanie Gammon, County Clerk

Approved: Steve M. Godsey  
Steve M. Godsey, County Mayor

Sponsored By: W.G. "Bill" Kilgore  
Prime Co-Sponsor(s): Dwight King, Randy Morrell, Terry Harkleroad, Bryan Boyd,  
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# **SULLIVAN COUNTY TENNESSEE**

## ***Presents***

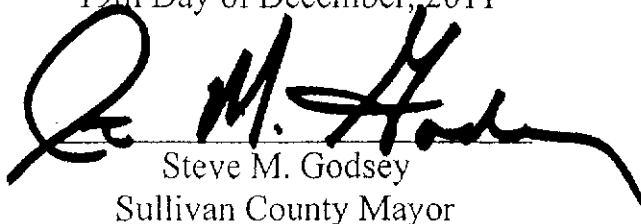
***This 2011 Certificate Of Appreciation To The Sullivan County Maintenance Department For The Excellent Job They Have Done In Decorating The Exterior Of The Courthouse, The Surrounding Grounds, And The Street Flags For This Christmas Season. They Have, As Well, Spent Much Time In Assembling Trees, Plus Carrying Many Boxes Of Ornaments And Greenery For Our Inside Decorations.***

***Throughout The Year They Consistently Respond With Speed and Expertise To The Various Electrical, Plumbing, Cleaning, And Construction Needs We All Encounter. It Is Definitely True That We Could Not Efficiently Operate Without Their Assistance.***

***We, Today, Applaud Our Maintenance Personnel At All Levels For Being There When We Need Them And Want To Give A Special Acknowledgement Of Appreciation For Their Efforts With Sullivan County's Christmas Decorations.***



Given under my hand, this  
19th Day of December, 2011

  
Steve M. Godsey  
Sullivan County Mayor

# SULLIVAN COUNTY, TENNESSEE

## PROCLAMATION

### *To Honor And Recognize The 2011 Sullivan North High School Football Team*

Whereas, the commitment of Sullivan North High School students and staff to excellence in sports is appreciated by both Sullivan County families and the Sullivan County Government; and

Whereas; the Sullivan North Raiders gifted this area with their first regular season as an undefeated team in the history of the school; and

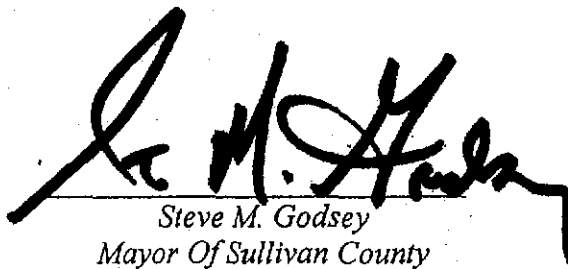
Whereas, the entire area was energized by the determination, talent, and school spirit that propelled this team to make it into the TSSAA State Play-offs. They held on through the third round of the play-offs in a close game with Austin-East High School that culminated in a score of 19 -13; and

Whereas, the Sullivan North High School Raiders Football Team has brought honor to the area and is also very appreciative for the community support that bonded students and adults together as a force for victory.

**NOW THEREFORE BE IT RESOLVED**, that the Sullivan County Board of Commissioners and Sullivan County Mayor Steve Godsey, on behalf of the citizens of Sullivan County recognize and commend the Sullivan North Football Team for a very exciting and victorious season as they look forward to a 2012 season that has most of the starters returning to play again.

In witness whereof, I have hereunto set my hand and caused this seal of the County of Sullivan to be affixed this 19th day of December, 2011.



  
Steve M. Godsey  
Mayor Of Sullivan County





# SULLIVAN COUNTY, TENNESSEE

## PROCLAMATION

### *To Honor And Recognize The Click Family Of Sullivan County*

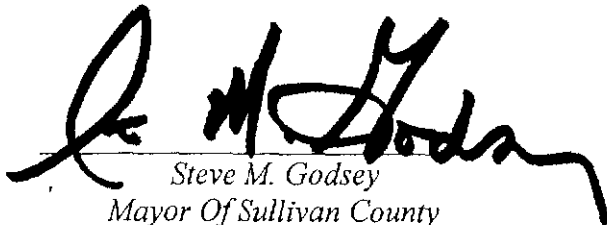
**Whereas,** Mack Samuel Click and wife of 63 years, Theda; both natives of Sullivan County, and both being lovers of all things Christmas decided in 1985 that they would show their Christmas spirit by expanding upon the traditional lighted Christmas tree and beloved Nativity Scene. They added several wonderful Christmas characters that we've all grown to love through the years. This winter wonderland includes over 100,000 Christmas lights and over 100 Christmas related figures, including Jolly old St. Nick, nine reindeer, carolers, and even Sam's favorite John Deere tractor gets spruced up with lights. All of this began 26 years ago with a small Nativity Scene; and

**Whereas,** in the passing of the highly decorated World War II, ex-P.O.W. veteran, and former Magistrate, Mason Click, who was also the last surviving original member of the Gospel Way Quartet, along with being a Sunday School Teacher, and Patriarch of the Click Family along with his loving wife; his family joyfully continues to decorate and provide a dignified and impressive scene for all to see - especially the children during the Christmas Season, and

**Whereas,** the Click Family has provided, unbeknown to them, countless Christmas memories to many families throughout Sullivan County and especially the Bloomingdale Community through their spectacular Christmas lights display for nearly three decades.

**NOW THEREFORE BE IT PROCLAIMED,** that I Steve M. Godsey, Mayor of Sullivan County and the Sullivan County Board of Commissioners do hereby honor and recognize the Click Family for their contributions to Sullivan County and the community in which they reside.



  
Steve M. Godsey  
Mayor Of Sullivan County



**Sullivan County EMS Director Al New made a presentation to the families of Junior Godsey and Sabrina Carrier honoring them for their service to the Sullivan County EMS and established the Godsey-Carrier Life Saving Award.**

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**EMS Director Al New recognized presented several employees of the Sullivan County EMS with the Godsey-Carrier Life Saving Award.**

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SULLIVAN COUNTY COMMISSION  
Public Comment Session  
Monday, December 19, 2011

PLEASE PRINT

	Name	Street Address	City & State	Please Check if Zoning Issue
1	Todd Cartwright	19119 Wyndale Rd	Abingdon VA	
2	ROBBIE FINK	317 GARWOOD DR.	Kingsport TN	✓
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				

SULLIVAN COUNTY CLERK  
JEANIE F. GAMMON COUNTY CLERK  
3258 HIGHWAY 126 SUITE 101  
BLOUNTVILLE TN 37617  
Telephone 423-323-6428  
Fax 423-279-2725

Notaries to be elected December 19, 2011

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TONY W. BARGER	CHRISTINA M. NEWMAN
LINDA G BARR	SHERRY J. PHILLIPPI
H. BIRCHFIELD	FRANK BOND PORTER JR
BRIAN DALE CARTER	JOYCE ANN RHOTEN
CINDY CARVER	SAMUEL K. ROSS
LORETTA LYNN COLLEY	CAROLYN B. ROYSTON
DON W COOPER	PHILLIP R. RUST
KAREN DOOLEY	KAREN A. SHELTON
JUDY HODGES	ELIZABETH M. SHINE
MICHELE D. HOWINGTON	DIANNA L STACY
MARK E. ISAAC	ADAM K. TATE
CYNTHIA S. KESSLER	W. MICHAEL THOMAS
LINDA KAY KIMBLER	SHEILA K. TRINKLE
MUOI THI LAMBERT	LISA L. WILCOX

PERSONAL SURETY  
DOLPHINE P LYON, WIDOW  
WARREN AND LYLA  
ANDERSON  
\$10,000

UPON MOTION MADE BY COMM. ARMSTRONG AND SECONDED BY COMM. HARKLEROAD  
TO APPROVE THE NOTARY APPLICATIONS HEREON, SAID MOTION WAS APPROVED BY  
ROLL CALL VOTE OF THE COMMISSION. 22 AYE, 2 ABSENT

**STATE OF TENNESSEE  
COUNTY OF SULLIVAN**

**APPROVAL OF NOTARY  
SURETY BONDS**

**December 19, 2011**

**NAME OF NOTARY**

**WALLACE DOUGLAS ALLEY, JR  
THOMAS M. RIDDLE  
MARY P. ROSSIE  
ROBIN W. RUTHERFORD  
JUDY ANN STAPLETON  
BOBBY J. WHEELER**

**PERSONAL SURETY**

**WALLACE D. ALLEY, SR.  
JIM HOPKINS  
RAYMOND E. ROSSIE  
MYERS N. MASSENGILL  
R. WAYNE CULBERTSON  
KATRYN MILLER**

**PERSONAL SURETY**

**WILLIAM T. WRAY, JR.  
C. E. WILLIAMS  
PHYLLIP DYKES  
L. CARTER MASSENGILL  
DANIEL MINOR  
TRAVIS L. LYON**

**UPON MOTION MADE BY COMM. ARMSTRONG AND SECONDED BY COMM.  
HARKLEROD TO APPROVE THE NOTARY BONDS OF THE ABOVE NAMED INDIVIDUALS, SAID  
MOTION WAS APPROVED BY ROLL CALL VOTE OF THE COMMISSION. 22 AYE, 2 ABSENT.**

ORE THE COMM.	No.		No.		No.		No.		No.		No.		No.		No.	
	Roll Call		Approve Minutes		Approve Notices											
COMMISSIONERS	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Armstrong	✓				✓											
Boomershine	✓				✓											
Bowery	✓				✓											
Boyd	✓				✓											
Brittenham	✓				✓											
Brotherton	✓				✓											
Calton	✓				✓											
Crawford	✓				✓											
Ferguson	A		A		A		A		A		A					
Gardner	✓				✓											
Haukwood	✓				✓											
Herron	✓				✓											
Hood	✓				✓											
Houser	✓				✓											
Johnson	✓				✓											
Kilgore	✓				✓											
King	A		A		A		A		A		A					
Marsh	✓				✓											
McConnell	✓				✓											
Marrell	✓				✓											
Neal	✓				✓											
Surgener	✓				✓											
White	✓				✓											
Williams	✓				✓											
	22 Present				22 Aye											
	2 Abs.				2 Abs											

Resolving Requests No. 1 2(1) 2(2) 2(3) Resolutions No. 1 2  
 IE THE COMM.

MISSIONERS Aye Nay Aye Nay Aye Nay Aye Nay Aye Nay Aye Nay Aye Nay Aye Nay Aye Nay Aye Nay

Marsh	✓		✓		✓		✓											✓	
McConnell	✓			✓	✓			✓										✓	
Merrell	✓			✓	✓			✓										✓	
Neal	✓		✓		✓			✓										✓	
Surgenor	✓			✓	✓			✓										✓	
White	A		A		A			A										✓	
Williams	✓			✓		✓		✓										✓	
Armstrong	✓		✓		✓			✓										✓	
Boomer	✓		✓		✓			✓										✓	
Bowling	✓			✓	✓			✓										✓	
Boyd	✓		✓		✓			✓										✓	
Brittenham	✓			✓	✓			✓										✓	
Brotherton	✓			✓	✓			✓										✓	
Calton	✓			✓	✓			✓										✓	
Crawford	✓		✓		✓			✓										✓	
Ferguson	A		A		A			A		A		A		A		A		A	A
Gardner	✓			✓	✓			✓										✓	
Haffner	✓			✓	✓			✓										✓	
Herron	✓		✓		✓			✓										✓	
Hood	✓		✓		✓			✓										✓	
Houser	✓			✓	✓			✓										✓	
Johnson	✓			✓	✓			✓										✓	
Kilgore	✓		✓		✓			✓										✓	
King	A		A		A			A		A		A		A		A		A	A

21 Aye 9 Aye 18 Aye 14 Aye  
 3 Abs 12 Nay 3 Nay 7 Nay  
 3 Abs 3 Abs 3 Abs

16 Aye  
 6 Nay  
 2 Abs









2

# AGENDA

## Sullivan County Board of County Commission

*December 19, 2011*

The Sullivan County Board of County Commissioners will hold a public hearing on Monday, December 19, 2011 at 9:00 A.M. in the Sullivan County Courthouse, Blountville, TN to consider the following requests:

(1) File No 10/11/01 Robbie Fink

Reclassify property located in the 100 block of Post Oak Drive from R-1(Low Density/single-Family Residential District) to B-1 (Convenience Neighborhood Business District) for the purpose of allowing a playground for the Daycare. Property ID No Tax Map 107P, Group E, Parcel 7.00 located in the 14<sup>th</sup> Civil District

**Sullivan County Planning**

(2) Zoning Text Amendments

1. Recreational Facilities
2. Proposed Minor Edit to Article III 3-103.6 VI
3. Proposed Minor Edit to Article III 3-104.2 #11

#10/11/11

PETITION TO SULLIVAN COUNTY FOR REZONING

A request for rezoning is made by the person named below; said request to go before the Sullivan County Regional Planning Commission for recommendation to the Sullivan County Board of Commissioners.

Property Owner: <u>Robbie Fink</u> Address: <u>317 Garwood Drive</u> <u>Kingsport, TN 37663</u> Phone <u>239-0150</u> Date of Request <u>09/22/2011</u> Property Located in <u>14th</u> Civil District  <u>Robbie Fink</u> Signature of Applicant	<p style="text-align: center;"><u>OFFICE USE ONLY</u></p> Meeting Date <u>11/15/2011</u> Time <u>6:00pm</u> Place <u>Old Blountville Courthouse</u> <hr/> Planning Commission Approved <input checked="" type="checkbox"/> <u>✓</u> Denied _____ County Commission Approved <input checked="" type="checkbox"/> <u>X</u> Denied _____ Other <u>Roll Call Vote 21 Aye, 3 Absent</u> Final Action Date <u>12-19-11</u>
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PROPERTY IDENTIFICATION

Tax Map No. 107P / Group E / Parcel 7.00  
 Zoning Map 25 Zoning District R-1 Proposed District ~~B-1~~ B-1  
 Property Location : 100 Block of Post Oak Drive  
 Purpose of Rezoning: Play ground for daycare.

The undersigned, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information, knowledge and belief.

Robbie Fink

SWORN TO AND SUBSCRIBED before me this 22 day of Sept, 2011.

Tim H. Earles  
Notary Public

My Commission Expires: 12-06-2011



8

SULLIVAN COUNTY  
REGIONAL PLANNING COMMISSION  
STAFF REPORT – OCTOBER 18, 2011

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H. OLD BUSINESS:

H1. **Recreational Facilities Proposed Land Use Maps – deferred until next month to allow staff time to compile district maps into one county-wide updated map.**

H2. Staff recommends the following DRAFT zoning districts descriptions to be considered:

- AR2 – *Agricultural/Rustic Campground Zoning District*, which would allow for designated tent sites with basic amenities such as bath houses, potable water, shelters, and playground areas. Such AR2 zones can be planned next to full-service AR zones in order to attract both types of camp users to be cost-beneficial. Or AR2 zones might be a viable option for lands not otherwise suitable for development due to topography constraints or soil suitability for septic systems. Alternative sewerage disposal systems may be considered with TDEC approval. AR2 zones may offer amenities and activities such as nature trails, bike trails and other outdoor recreational activities opened to the campers that are not obtrusive or cause a nuisance upon adjoining properties with established residential or agricultural land uses. The AR2 setbacks and site plan requirements should be the same as AR guidelines – the main difference is the type of camp user (tent versus campers and short-term stay versus long-term season). AR2 zones should limit length of stay to 14 days in/14 days out in order to prevent “squatting” and maintain open accessibility to the public.
- CT – *Commercial Tourism Zoning District*, which would allow for campgrounds with full hook-ups, bath houses, dump stations and be near or include commercial facilities such as convenience stores, gas stations, and restaurants in order to meet the needs of the thru-travelers. Such districts should be considered near interstates, state highways and existing commercial centers located on major thoroughfares that have adequate space and buffering between it and residential zones. Such zone may also allow designated areas for long-term RV and camper sites for transient workers and contracted labor folks who may need temporary housing within close proximity to the job site. Such areas for long-term transient camp sites shall be limited to 25% of the gross acreage of the campground and shall have full hook-ups, bathhouses, laundry facilities and manager living on site. The CT zone can include a mix of service commercial land uses, hotels, motels, and campgrounds but prohibit manufacturing land uses, mobile home parks and other incompatible land uses. The CT zoning setbacks should be that of the same as B4 zoning setbacks.
- AR – *Agricultural/Recreational zoning district* already established should be limited to seasonal campers open March through October and winterized in the late fall and winter months. AR zones do allow for cabins and lodges that can remain open year-round assuming the utilities are available (Such as Possum Creek Retreat).

**Discussion at Planning Commission:**

- *Staff read the purpose and intent/description of the two proposed zoning districts and explained how that would be inserted into the Zoning Resolution (codified – see attached sections of the code). These have been discussed since April.*
- *Discussion followed. Members agreed to recommend the AR2 zone and the CT zone to County Commission based upon staff's rationale and feedback from the public over the last several months.*
- *There was no one from the audience that addressed the board at this time; however several residents have attended the meetings and workshops since April.*

<b>Sullivan County Regional Planning Commission Action – Final Recommendation to the County Commission</b>	
Approval: <i>Jack Dutton, Buddy King – passed unanimously</i>	
Denied:	Reason for Denial:
Deferred:	Reason for Deferral:

<b>Bristol Regional Planning Commission Action – Final Recommendation to the County Commission</b>	
Approval:	
Denied:	Reason for Denial:
Deferred:	Reason for Deferral:

<b>Kingsport Regional Planning Commission Action – Final Recommendation to the County Commission</b>	
Approval:	
Denied:	Reason for Denial:
Deferred:	Reason for Deferral:

<b>Sullivan County Board of County Commissioners Action – Final Public Hearing/Final Reading</b>	
Approval: 12-19-11	
Denied: 12-19-11 9 Aye, 12 Nay, 3 Absent	Reason for Denial:
Deferred:	Reason for Deferral:

Minor County Zoning Text Amendment – to change square footage on exempt detached, portable residential accessory structure from 200 square feet to 120 square feet (to match 2006 IRC building Code standard): changes in yellow highlight

3-103.6 Yard Regulations

1. Minimum Width or Depth - Yards having the minimum width or depth set forth for the various districts in TABLE 3-103B, shall be provided on all lots
  
2. Permitted Structures in Yards and Customary Residential Accessory Structures - In all agricultural and residential districts, the following shall not be considered obstructions when located within a required yard, except that these items shall comply with Subpart 3, of this section, (Obstructions Prohibited at Street Intersections).
  - a. In Any Yard:
    - ♦ Arbors and trellises not attached to the principal structure or accessory structure.
    - ♦ Customary Residential Accessory Structures provided such structures comply with the following criteria:
      - i. Structures placed in the rear yard behind the principal structure shall be setback a minimum of (8) eight feet from the sides and rear property line to avoid any utility and drainage easements (refer to survey or plat).
      - ii. Structures placed in the side yard shall meet the minimum principal building setback requirements for that particular zone.
      - iii. If in the opinion of the Building Commissioner the structure cannot be located in the rear or side yards due to topographical constraints pursuant to Article XII, the Building Commissioner may allow such structure to be placed in the front yard with minimum building setbacks applicable for that particular zone, as required for the principal structure.
      - iv. The total maximum size of all accessory structures cannot exceed ten (10%) percent of the total parcel area or exceed 2000 square feet in total area; whichever is less (amended on August 15, 2005).
      - v. Prior to issuance of a permit, the property owner shall sign a statement affirming that the use of such structure is and will remain in compliance with the applicable zone.
      - vi. All structures less than 120 200-square feet and not having a fixed base to the ground require no permit, shall adhere to the minimum setbacks and location as required above.
      - vii. All structures, regardless of size or permit requirement, shall conform to the above setback and use restrictions.
    - ♦ Driveways subject to other specific provisions of this resolution related directly thereto.
    - ♦ Flagpoles having only one structural ground member.
    - ♦ Fountains.
    - ♦ Mailboxes.
    - ♦ Open terraces, including natural plant landscaping, not including decks (decks are subject to principal structure setbacks).
    - ♦ Pet enclosures less than one hundred (100) square feet.
    - ♦ Sculpture or other similar objects of art, which do not advertise any business or service.
    - ♦ Street furniture such as, but not limited to, benches, drinking fountains, trash receptacles, ashtrays, or light standards.
    - ♦ Vehicular parking areas, unless, otherwise, specifically prohibited by applicable sections of this resolution.
    - ♦ Vents necessary for use of fallout shelters constructed below grade of such yards, but excluding all other parts of such shelters.
    - ♦ Retaining walls, or fences not exceeding eight (8) feet in height measured from finish grade level and not roofed or structurally part of a building.

Minor County Zoning Text Amendment to include provisions permitting and regulating the individual detached residential accessory structures within established and new mobile home parks within the county.

Amends Article 3-104.2 to include paragraph #11 below

11. Residential Accessory Structures – With written approval from the landowner, each tenant of the mobile home park may be permitted detached residential accessory structures so long as the structure(s) meets all other bulk regulations and site design standards as outlined above per Article 3-104.2 as well as the following limitations:
  - a. Each approved mobile home park space (lot within park) may have one detached carport no larger than 400 square feet and shall be setback at least ten (10) feet from the interior access road; thirty (30) feet from the property line and twenty (20) feet from adjacent homes, in order to satisfy the site design standards as required per Article 3-104.2;
  - b. Each approved mobile home park space (lot within park) may also have one additional detached residential storage building no larger than 120 square feet and shall also meet the same setbacks as stated above; and
  - c. In order to safeguard the open space and common play area set aside for the enjoyment of all mobile home park residents, no other individual residential accessory structures may be permitted within the mobile home park.
  - d. Communal accessory structures, such as laundry facilities, playground equipment, common mail box stations, gazebos, maintenance sheds or other amenities must be shown on the comprehensive development plan and shall be approved by the Sullivan County Regional Planning Commission.

**APPROVED 12-19-11 14 Aye, 7 Nay, 3 Absent.**



**RESOLUTIONS ON DOCKET FOR DECEMBER 19, 2011**

<b>RESOLUTIONS</b>	<b>ACTION</b>
#1 AMENDMENTS TO THE SULLIVAN COUNTY ZONING RESOLUTION	APPROVED 12-19-11
#2 ESTABLISHING ADDITIONAL REGULATIONS ON THE SALE AND USE OF FIREWORKS IN SULLIVAN COUNTY	APPROVED 12-19-11
#3 APPROPRIATE FUNDS NECESSARY TO BRING REAL PROPERTY LOCATED AT 513 CHADWELL ROAD; KINGSPORT, TN; INTO PARTIAL COMPLIANCE WITH SULLIVAN COUNTY'S PROPERTY MAINTENANCE STANDARDS	APPROVED 12-19-11
#4 AMEND THE 2011-2012 GENERAL PURPOSE SCHOOL BUDGET FOR THE SAFE SCHOOLS GRANT RECEIVED FROM THE STATE OF TN (ARRA/SPSF FUNDS) IN THE AMOUNT OF \$44,900.00	APPROVED 12-19-11
#5 APPROVE A DEBT MANAGEMENT POLICY FOR SULLIVAN COUNTY IN ACCORDANCE WITH REQUIREMENTS OF THE COMPTROLLER OF THE TREASURY FOR THE STATE OF TN	APPROVED 12-19-11
#6 EXPRESS SUPPORT FOR LEGISLATION THAT WOULD AMEND TITLE 8, CHAPTER 44 TO SUBJECT GOVERNING BODIES TO THE SAME OPEN MEETING ACT THAT THE GEN. ASSEMBLY IS SUBJECTED TO UNDER T.C.A. 3-1-118	FAILED 12-19-11
#7 ADOPT A REAPPORTIONMENT/REDISTRICTING PLAN FOR SULLIVAN COUNTY	FAILED 12-19-11
#8 SUPPORT THE ORDINANCE INTRODUCED IN KINGSPORT, TN OPPOSING THE SALE OF SYNTHETIC DRUGS AND TO ADOPT THIS LEGISLATION COUNTY-WIDE	APPROVED 12-19-11
#9 STOP A RESOLUTION THAT HAS FAILED IN THE SULLIVAN COUNTY COMMISSION FROM BEING REVIVED FOR ANOTHER VOTE	1 <sup>ST</sup> READING 12-19-11
#10 SULL. CO. DEPT. OF ARCHIVES AND TOURISM TO RECEIVE DONATIONS FOR THE BATTLE OF BLOUNTVILLE MILITARY STATE PARK	APPROVED 12-19-11
#11 AMEND THE 2011-2012 GENERAL PURPOSE SCHOOL BUDGET TO INCLUDE A DONATION RECEIVED FROM C. M. (BILL) GATTON IN THE AMOUNT OF \$22,600.00	APPROVED 12-19-11



Sullivan County, Tennessee  
Board of County Commissioners

Item 1  
No. 2011-12-00

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of December 2011.

**RESOLUTION To Consider Amendment(s) To The SULLIVAN COUNTY ZONING PLAN:  
Zoning Map Or The Zoning Resolution**

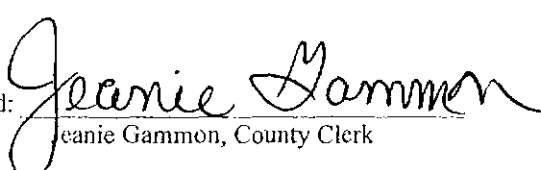
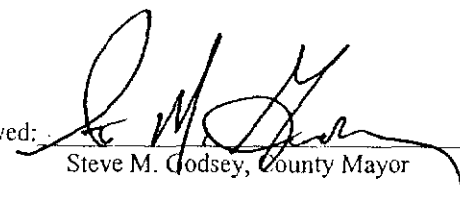
WHEREAS, the rezoning petition(s) have been duly initiated; have been before the appropriate Regional Planning Commission (recommendations enclosed); and shall receive a public hearing as required prior to final action from the County Commission; and

WHEREAS, such rezoning petition(s) and/or the proposed text amendment(s) will require an amendment to the SULLIVAN COUNTY ZONING PLAN – Zoning Map or Zoning Resolution.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby consider rezoning petition(s) and/or the Zoning Resolution Text Amendment(s), conduct the appropriate public hearing as required by law, and vote upon the proposed amendment(s) individually, by roll call vote, and that the vote be valid and binding, and that any necessary amendments to the official zoning map or resolution code book be made by the Planning & Codes Department.

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 19th day of December 2011.

Attested:  Approved:   
Jeanie Gammon, County Clerk Steve M. Godsey, County Mayor

Sponsor: John Crawford  
Prime Co-Sponsor(s): ~~O.W. Ferguson~~ John Gardner

2011-12-00	County Commission
ACTION	Approved 12-19-11 Voice Vote

Notes:

Sullivan County, Tennessee  
Board of County Commissioners

Item 2  
Administrative  
No. 2011-11-97

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of November, 2011.

**RESOLUTION Establishing Additional Regulations On The Sale And Use Of Fireworks In Sullivan County**

WHEREAS, Chapter No. 72 of the Private Acts of 2010, ratified by the Sullivan County Board of Commissioners on June 21, 2010 pursuant to Resolution No. 2010-06-59, repealed Chapter No. 16 of the Private Acts of 1953 prohibiting fireworks in Sullivan County and accordingly authorized the sale and use of fireworks in Sullivan County; and

WHEREAS, the Sullivan County Board of Commissioners on September 20, 2010 approved Substitute Resolution No. 2010-07-67 establishing regulations regarding the sale and/or use of fireworks in Sullivan County; and

WHEREAS, in an effort to insure additional safety and convenience for Sullivan County residents, it is necessary to institute more stringent regulations for individuals detonating fireworks; and

WHEREAS, individuals who choose to detonate fireworks in Sullivan County will be allowed to detonate them from 2:00 p.m. to 10:00 p.m., and fireworks cannot be detonated unless they are at least 100 feet from any and all inhabited residential structures unless the occupant or owner of such residence gives permission; and

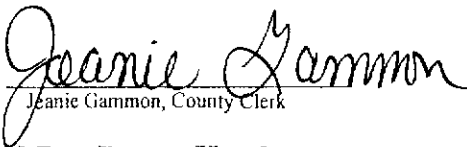
WHEREAS, the time during which fireworks may be detonated is extended to midnight on the eves of and the days of: Memorial Day, July 4th, Veteran's Day and New Year's Day; and

WHEREAS, a ~~\$500~~ penalty of up to \$500 shall apply to non-compliance of this resolution;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby approves and adopts the additional regulations governing the use of fireworks in Sullivan County: (1) fireworks may only be detonated between the hours of 2:00 p.m. and 10:00 p.m. with the exception that fireworks may be detonated between the hours of 2:00 pm and midnight on the eve of Memorial Day, Memorial Day, eve of the 4th of July, July 4th, eve of Veteran's Day, Veteran's Day, New Year's Eve and New Year's Day; (2) fireworks may not be detonated closer than 100 feet to any inhabited residential structure unless the occupant or owner of such residence gives permission; and (3) a penalty of up to \$500 shall apply to anyone who violates this resolution.

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this 19th day of December 2011.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Baxter Hood**  
**Prime Co-Sponsor(s): John Gardner**

2011-11-97	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Approved 11-7-11; No Action 12-5-11	No Action 11-10-11; No Action 12-8-11	No Action 11-1-11; No Action 12-6-11	<b>Approved 12-19-11</b> <b>16 Aye, 6 Nay, 2 Absent</b>

Notes: **Failed 11-21-11 6 Aye, 16 Nay, 2 Absent**

**Motion made to TABLE by Johnson, seconded by Bowery; Motion failed 11-21-11**

**RESOLUTION put back on 1st Reading by Sponsor 11-21-11.**

Sullivan County, Tennessee  
Board of County Commissioners

Item 3  
Budget/Executive  
No. 2011-11-102

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of November, 2011.

**RESOLUTION To Appropriate Funds Necessary To Bring Real Property Located At 513 Chadwell Road; Kingsport, Tennessee; Into Partial Compliance With Sullivan County's Property Maintenance Standards**

WHEREAS, Sullivan County adopted the 2006 International Property Maintenance Code pursuant to Resolution No. 2009-05-67 approved by the Sullivan County Board of Commissioners on July 20, 2009, said Code to be in full force and effect in Sullivan County on January 1, 2010; and

WHEREAS, the Sullivan County Code Official and his Deputy Code Officials are charged with the enforcement of the Property Maintenance Code in all areas of Sullivan County outside of municipal boundaries; and

WHEREAS, real property located at 513 Chadwell Road, Kingsport, Tennessee has been and continues to be the subject of numerous complaints of violation of Sullivan County's Property Maintenance Code due to the dilapidated and unsafe condition of the vacant house and an outdoor storage building located on said real property, the excessive amount of overgrowth on the property, and the excessive amount of trash, garbage, rubbish, scrap, salvage items, and debris stored and strewn about the exterior of the property; and

WHEREAS, the Sullivan County Code official, through the Office of the Sullivan County Attorney, had to file litigation against the property owner of 513 Chadwell Road, Kingsport, Tennessee to enforce the provisions of the Property Maintenance Code as said property owner is a resident in a local nursing home and had failed to take any action to remedy the situation; and

WHEREAS, the Court entered an Order on October 31, 2011 directing the property owner to bring her property into full compliance with Sullivan County's Property Maintenance Code on or before November 30, 2011 and in the event the property is not in full compliance on or before November 30, 2011 authorizing the Sullivan County Code Official, or his agent, to take such action as is necessary to bring said real property into partial compliance by: (a) removing from the property and disposing of all trash, garbage, rubbish, scrap, salvage items, debris and personal property located on the outside of the property; (b) boarding up all doors on the house such that they cannot be entered; (c) tearing down and removing from the property the dilapidated outside storage building; and (d) mowing the lawn and removing any excessive overgrowth from the property; and

WHEREAS, the Sullivan County Code Official has solicited bids to perform the necessary services in the event the subject property has not been brought into full compliance with Sullivan County's Property Maintenance Code on or before November 30, 2011 and has determined that the cost should not exceed \$3,000.00.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby appropriates the maximum sum of Three thousand (\$3,000.00) Dollars to be used for the purpose of bringing real property into partial compliance with Sullivan County's Property Maintenance Code pursuant to the Court's Order entered October 31, 2011. Any costs expended by Sullivan County for the purposes set forth in this Resolution shall be recorded as a lien against the subject real property. (Account codes to be assigned by the Director of Accounts and Budgets.)

*Waiver Of Rules Requested*

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this 19th day of December 2011.

Attested: Jeanie Gammon  
 Jeanie Gammon, County Clerk

Approved: Steve M. Godsey  
 Steve M. Godsey, County Mayor

**Sponsored By: Terry Harkleroad**  
**Prime Co-Sponsor(s): Matthew Johnson**

2011-11-102	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Approved 11-7-11; No Action 12-5-11	No Action 11-10-11; No Action 12-8-11	No Action 12-6-11	<b>Approved 12-19-11</b> <b>14 Aye, 8 Nay, 2 Absent</b>

Notes: 1st Reading 11-21-11;

Sullivan County, Tennessee  
Board of County Commissioners

Item 4  
Budget  
No. 2011-11-103

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of November, 2011.

**RESOLUTION To Amend The 2011 – 2012 General Purpose School Budget For The Safe Schools Grant Received From The State Of Tennessee (ARRA/SPSF Funds) In The Amount Of \$44,900.00.**

WHEREAS, the additional grant funds have been made available from the State of Tennessee for this program; and

WHEREAS, these monies will be used to provide funds to the Department of Education for additional security measures, signage, student led respect and leadership teams, and conflict resolution materials; and

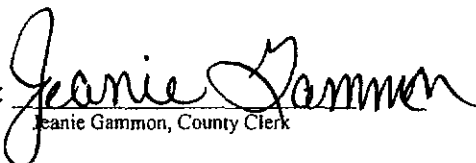
WHEREAS, the Sullivan County Department of Education Board approved this grant.

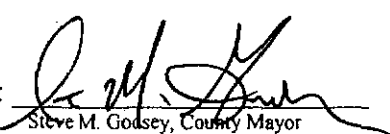
**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in regular session, hereby authorizes amending the General Purpose School Budget as follows:**

Account Number	Account Description	Amount
46230.000	Safe and Drug Free Schools	+44,900.00
71100.308	Regular Instruction - Consultants	+2,500.00
72620.499	Maintenance of Plant – Other Supplies & Materials	+39,400.00
72520.499	Human Resource – Other Contracted Services	+3,000.00

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this 19th day of December 2011.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Joe Herron**

**Prime Co-Sponsor(s): Matthew Johnson, John Gardner, Bryan Boyd, O. W. Ferguson, Terry Harkleroad**

2011-11-103	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Approved 12-5-11	Approved 11-10-11	Approved 12-6-11	<b>Approved 12-19-11 22 Aye, 2 Absent</b>

Notes: 1st Reading 11-21-11;



Sullivan County, Tennessee  
Board of County Commissioners

Item 5  
Budget  
No. 2011-11-104  
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of November, 2011.

**RESOLUTION To Approve A Debt Management Policy For Sullivan County In Accordance With Requirements Of The Comptroller Of The Treasury For The State Of Tennessee**

WHEREAS, the Comptroller of the Treasury of the State of Tennessee has established new policies for the State of Tennessee requiring each County to develop a policy for the management of its long-term debt. This policy is to be approved by the governing body before January 1, 2012; and

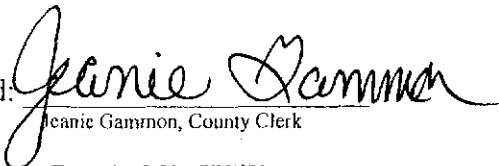
WHEREAS, the University of Tennessee's County Technical Assistance Service (CTAS) has developed a basic guide for County Governments that could be utilized by individual counties in setting their Debt Management Policy which has been followed in developing the attached policy for Sullivan County.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session approve the attached document as the "Sullivan County Debt Management Policy."**

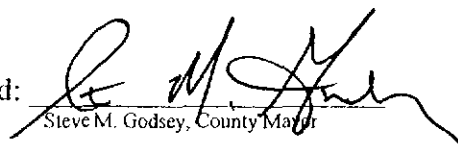
This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this 19th day of December 2011.

Attested:

  
Jeanie Gammon, County Clerk

Approved:

  
Steve M. Godsey, County Mayor

**Sponsored By: Eddie Williams**

**Prime Co-Sponsor(s): ~~Dwight King~~ Bob White, Bill Kilgore**

2011-11-104	Administrative	Budget	Executive	County Commission
ACTION				Approved 12-19-11 22 Aye, 2 Absent

Notes: 1st Reading 11-21-11;



# **SULLIVAN COUNTY, TN**

## **Debt Management Policy**

**Prepared by the  
OFFICE OF ACCOUNTS & BUDGETS**

*November, 2011*

# **SULLIVAN COUNTY TENNESSEE**

## **Debt Management Policy**

Goal/Mission: To provide management with appropriate guidelines and direction to assist in making sound debt management decisions. To further demonstrate strong financial management practices for our county citizens, outside investors, and credit agencies.

Objectives: To enhance the decision process by identifying the methodology of decision making and outline the criteria on which the principles utilized are based.

### **A. ENHANCE TRANSPARENCY OF DECISIONS BY WAY OF ANNUAL DEBT REPORT, ANNUAL BUDGETS, AND SPECIFIC NEW ISSUE REPORT**

a. Annual debt reports shall be submitted to the county legislative body by June 30<sup>th</sup> of each year either with the annual budget document or separate. In addition to the outstanding debt and requirements, it should also include:

- i. Calculations of percentage of total debt to assessed value
- ii. Calculation of debt to per capita income
- iii. Sullivan County shall prepare a multi-year debt budget for at least 5 years

b. Sullivan County shall comply with legal requirements for notice and for public meetings related to debt issuance. In the interest of transparency, all costs (including interest, issuance, continuing, and one-time) shall be disclosed to the citizens/members, governing body, and other stakeholders in a timely manner.

c. Debt issuance shall comply with the State Form CT-0253, as well as, any other state required forms that detail all associated cost for the issuance of the proposed debt. These records shall be available for public and county commission inspection prior to the commission approval of the debt issuance.

### **B. ACQUIRING OF PROFESSIONAL SERVICES FOR THE ISSUANCE OF DEBT**

a. Sullivan County shall require all professionals engaged in the process of issuing debt to clearly disclose all compensation and consideration received related to services provided in the debt issuance process by both Sullivan

County and the lender or conduit issuer, if any. This includes "soft" costs or compensations in lieu of direct payments.

- b. **Counsel:** Sullivan County shall enter into an engagement letter agreement with each lawyer or law firm representing Sullivan County in a debt transaction. (No engagement letters required for any lawyer who is an employee of Sullivan County or lawyer or law firm which is under general appointment or contract to serve as counsel to the County. The County does not need an engagement letter with counsel not representing the County, such as underwriters' counsel.)
- c. **Financial Advisor:** If Sullivan County chooses to hire financial advisors, Sullivan County shall enter into a written agreement with each person or firm serving as financial advisor for debt management and transactions.
- d. **Whether in a competitive or negotiated sale,** the financial advisor shall not be permitted to bid on, privately place or underwrite an issue for which they are or have been providing advisory services.
- e. **Underwriter:** If there is an underwriter, Sullivan County shall require the underwriter to clearly identify itself in writing as an underwriter and not as a financial advisor from the earliest states of its relationship with Sullivan County with respect to that issue. The underwriter must clarify its primary role as a purchaser of securities in an arm's-length commercial transaction and that it has financial and other interests that differ from those of Sullivan County. The underwriter in a publicly offered, negotiated sale shall be required to provide pricing information both as to interest rates and to takedown per maturity to the governing body or its designated representative in advance of the pricing of the debt.

**C. ESTABLISHING STANDARDS TO ASSURE AGAINST CONFLICTS OF INTEREST FOR BOTH INTERNAL AND EXTERNAL PROFESSIONALS**

- a. **Professionals involved in a debt transaction hired or compensated by Sullivan County shall be required to disclose to Sullivan County existing client and business relationships between and among the professionals to a transaction (including but not limited to financial advisor, swap advisor, bond counsel, swap counsel, trustee, paying agent, underwriter, counterparty, and remarketing agent), as well as conduit issuers, sponsoring organizations sufficient to allow Sullivan County to appreciate the significance of the relationships.**
- b. **Professionals who become involved in the debt transaction as a result of a bid submitted in a widely and publicly advertised competitive sale conducted using an industry standard electronic bidding platform are not subject to this disclosure. No disclosure is required that would violate any rule or regulation of professional conduct.**
- c. **Review the representatives of the County Staff and the other representatives of the County involved in the decision making process and their adherence to knowledge of the County Ethics Policy.**

#### **D. OTHER REQUIREMENTS FOR MANAGING AND ISSUING DEBT**

- a. The Debt Service Fund(s) shall maintain minimum balances equal or greater than the requirements for the first half of the fiscal year less any designated recurring revenues for the respective debt.**
- b. Sullivan County shall service all debt principal and interest payments through the debt service fund with the exception of leases for less than \$100,000 principal.**
- c. Sullivan County shall not utilize variable rate debt for any debt beyond 3 years without a special advertised public hearing before the issuance.**
- d. All debt repayment schedules shall use the straight-line method of repayment. Other repayment schedules must be approved by the comptroller's office in writing and fully disclose the additional interest cost compared to straight-line repayment method.**
- e. Borrowing using capital outlay notes, the county shall solicit a minimum of three rates and issuance cost quotes and select the lowest and best offer. The county may use the State loan pool as one of the three quotes.**
- f. All leases of amounts of \$100,000 exceeding 1 year shall be compared to a quote for a capital outlay note for similar principal and duration to be reported to the County Commission before issuance.**
- g. In the case of refinancing, an analysis report shall be provided which fully explains the reasons for the refinancing and the net savings and cost of the refinancing which will include not only interest charges but also the fees associated with the transactions for the issuance.**
- h. Sullivan County shall not issue debt that exceeds the life of the capital asset funded by the debt.**
- i. All Elected and appointed officials, as well as, department heads should be knowledgeable that the Sullivan County Purchasing Laws govern the approval and signing of all contractual commitments including lease agreements.**

Sullivan County, Tennessee  
Board of County Commissioners

Item 6  
Administrative/Budget/Executive  
No. 2011-11-107

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of November, 2011.

**Resolution To Express Support For Legislation That Would Amend Title 8, Chapter 44 To Subject Governing Bodies To The Same Open Meeting Act That The General Assembly Is Subjected To Under T.C.A. 3-1-118**

WHEREAS, the Tennessee General Assembly previously adopted T.C.A. 3-1-118 which, in some circumstances, subjects the General Assembly to open meeting requirements if a quorum of the members of a State body are present and public business within the jurisdiction of that body is being deliberated and decided; and

WHEREAS, local governments are currently subjected to the open meeting act as provided for in T.C.A. 8-44-101, et. seq. ("Sunshine Law"); and

WHEREAS, the Sunshine Law provides that if two (2) or more members of a body with the power to make decisions or recommendations to a public body meet, regardless of whether there is a quorum present, adequate public notice must be given prior to being able to meet, and

WHEREAS, The Sullivan County Board of Commissioners finds it would be in the interest of its citizens to express its support for amending T.C.A. 8-44-101, et. seq. to subject all governing bodies currently subjected to the Sunshine Law to the similar open meeting requirements as the State has subjected its self.

**NOW, THEREFORE, BE IT RESOLVED, by action of the Board of Commissioners, meeting in regular session, Sullivan County expresses its support for State legislation which would amend T.C.A. 8-44-101, et. seq. to define a meeting as a meeting of a quorum of the members of a governing body which has the power to make decisions or recommendations to a public body.**

**BE IT FUTHER RESOLVED, that upon approval of this resolution and its signing, the Board of Commissioners directs the County Clerk's Office to mail copy of this resolution to Sullivan County's State Representatives and State Senator.**

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

Attested: \_\_\_\_\_  
Jeanie Gammon, County Clerk

Approved: \_\_\_\_\_  
Steve M. Godsey, County Mayor

**Sponsored By: W.G. "Bill" Kilgore**  
**Prime Co-Sponsor(s): Michael Surgenor**

2011-11-107	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	*12-5-11 See Below	Approved 12-8-11	Failed 12-6-11	<b>Failed 12-19-11</b> <b>3 Aye, 17 Nay, 2 Pass, 2 Absent</b>

Notes: 1st Reading 11-21-11;

\* 12-5-11 Administrative Committee: Motion To Table Failed; Motion To Approve Failed

Sullivan County, Tennessee  
Board of County Commissioners

Item 7  
Executive  
No. 2011-11-108

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of November, 2011.

**Resolution To Adopt A Reapportionment/Redistricting Plan For Sullivan County**

WHEREAS, Tennessee Code Annotated, Section 5-1-111, requires that, at least every ten (10) years, county legislative bodies shall change the boundaries of districts or redistrict a county entirely if necessary to apportion the county legislative body so that the members represent substantially equal populations; and

WHEREAS, Sullivan County has prepared a plan consistent with the provision of Tennessee Code Annotated, Section 5-1-111, which provides for a county legislative body composed of twenty-one (21) members and which creates seven (7) districts, as depicted in the official redistricting map for Sullivan County prepared pursuant to Tennessee Code Annotated, Section 5-1-110; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes that:

**\*\*Section 1. Rescind Resolution No. 2011-10-92 (Approved 11-21-11)**

~~Section 1.~~ **2. There is hereby adopted a reappointment plan for Sullivan County which provides for twenty-one (21) commissioners, with three commissioners in each of seven (7) districts. The districts for members of the county legislative body are depicted on the official redistricting map for Sullivan County prepared pursuant to Tennessee Code Annotated, Section 5-1-110. A copy of the redistricting map will be furnished to commissioners as Exhibit B to this resolution and is incorporated herein as reference.**

~~Section 2.~~ **3. All members of the county legislative body shall be elected at large within the district the candidate seeks election. Within each commission district, each commission seat shall be designated as Commission Seat A, Commission Seat B, or Commission Seat C. Candidates wishing to run for the office of County Commissioner in their respective district shall proclaim which designated seat they seek upon requesting for petition to have their names placed on the ballot.**

~~Section 3.~~ **4. This plan shall take effect upon passage, the public welfare requiring it, provided that vacancies shall be filled in accordance with Tennessee Code Annotated, Section 5-1-104.**



This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

Attested: \_\_\_\_\_  
Jeanie Gammon, County Clerk

Approved: \_\_\_\_\_  
Steve M. Godsey, County Mayor

**Sponsored By: Ed Marsh**  
**Prime Co-Sponsor(s): Michael Surgenor**

2011-11-108	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	*12-5-11 See Below	No Action 12-8-11	No Action 12-6-11	<b>Failed 12-19-11</b> <b>5 Aye, 16 Nay, 3 Absent</b>

Notes: 1st Reading 11-21-11;

**\*\*Amended by Surgenor as shown above**

\* 12-5-11 Administrative Committee: Motion To Take No Action Failed; Motion To Approve Failed  
**12-19-11 Amended by Sponsor to delete Section 3**

Zimbra

jeanie.gammon@sullivancountytn.gov

+ Font size -

## smaller maps

**From :** Ambre Torbett <planning@sullivancountytn.gov>

Tue, Dec 20, 2011 09:52 AM

**Subject :** smaller maps

 1 attachment

**To :** coclerk@sullivancounty.org, mayor@sullivancountytn.gov, 'Bill Kilgore' <wgkamvet@charter.net>

Dear Jeanie,

Hopefully the first email went through, but the file size was large. Attached are the smaller redistricting maps (current districts with population; Option 1 with population as approved; and the proposed Option 2 with population which did not pass).

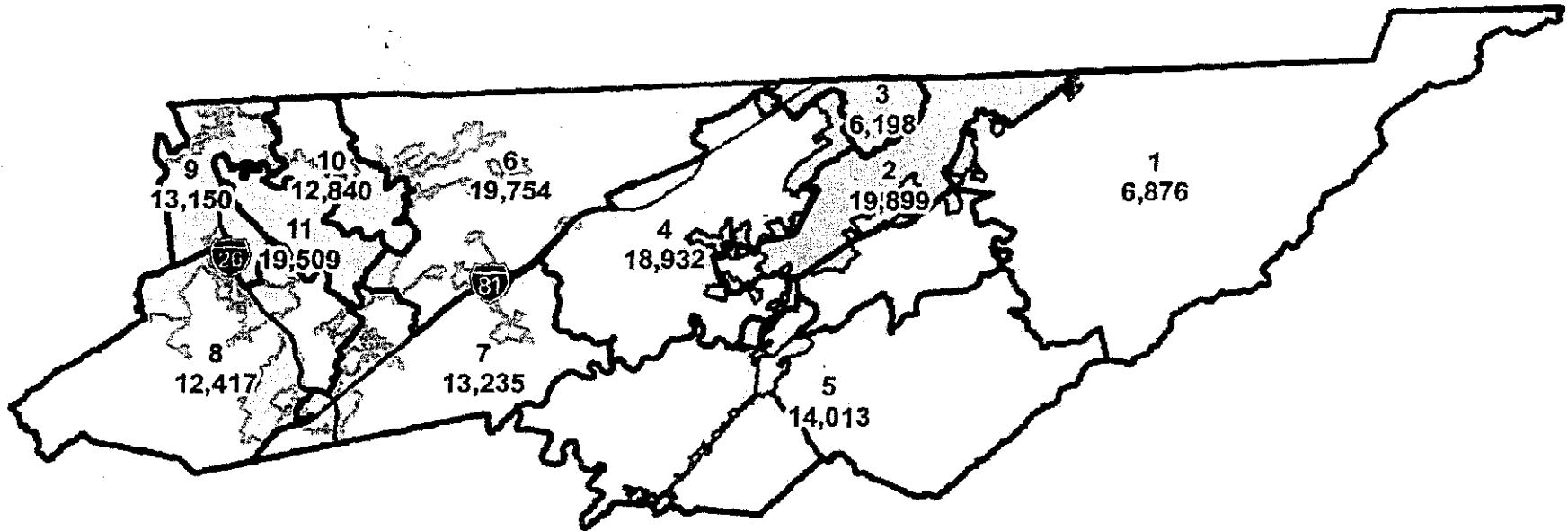
Ambre M. Torbett, AICP

Director of Planning & Codes  
*Notary Public (TN)*

Sullivan County Government  
3411 Hwy. 126, Suite 30  
Blountville, TN 37617  
email: [planning@sullivancountytn.gov](mailto:planning@sullivancountytn.gov)  
website: [www.sullivancountytn.gov](http://www.sullivancountytn.gov)  
+23.323.6440 - front desk  
+23.279.2886 - fax

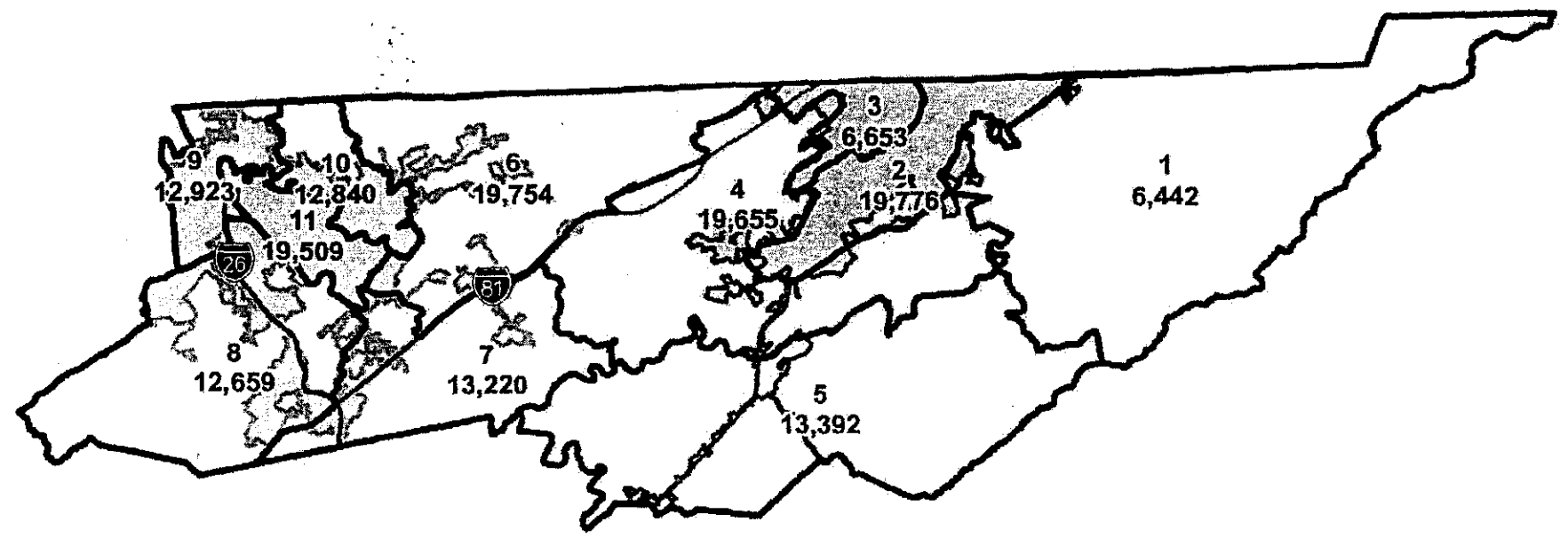
 **SKMBT\_redistrictingmaps.pdf**  
627 KB

Current County Commission Districts



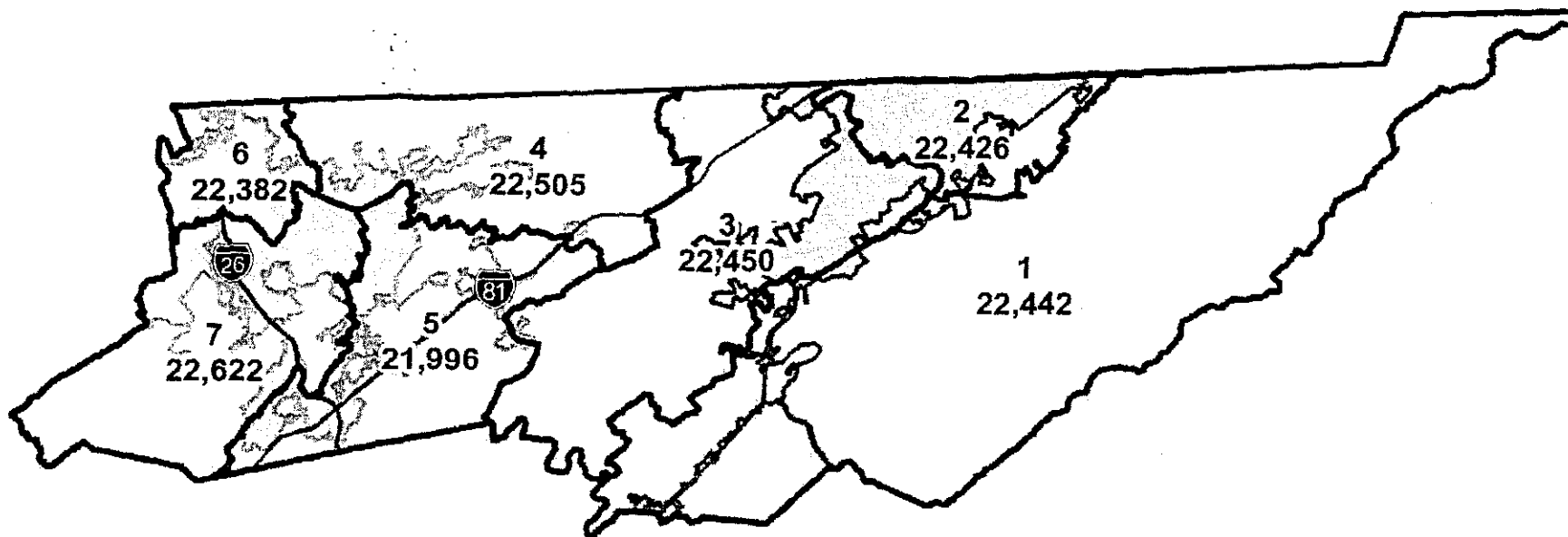
District  
Total Population

# Option 1 - 11 Adjusted Districts



District  
Total Population

# Option 2 - 7 New Districts



District  
Total Population

Sullivan County, Tennessee  
Board of County Commissioners

Item 8  
Administrative/ Budget/Executive  
No. 2011-12-109  
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of December, 2011.

**Resolution To Support The Ordinance Introduced In Kingsport, Tennessee Opposing The Sale Of Synthetic Drugs And To Adopt This Legislation County-Wide**

WHEREAS, synthetic drugs, commonly referred to as synthetic marijuana and "bath salts" pose a safety and health threat to all citizens in Sullivan County. Additionally it may be purchased by anyone regardless of their age; and

WHEREAS, synthetic drugs, also known as "plant food", "fake bath salts", "fake fertilizer", and "fake insect repellent" produce a similar effect to the body such as that of marijuana and methamphetamines; and

WHEREAS, the State of Tennessee has enacted T.C.A. section 39-17-438 (pertaining to synthetic marijuana) and T.C.A. section 39-17-452 (pertaining to "bath salts"), with the intended purpose that there be successful regulation and control over the sale of items that make up these products. These statutes list the chemical elements and compounds that are combined to produce the synthetic drugs. The downside is that those producing and selling these products continue to alter the formulas with other compounds which produce the same or similar effects; and

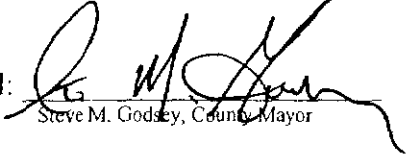
WHEREAS, in agreement with the City of Kingsport, we as a governing body in Sullivan County, Tennessee are going on record to agree that "it is to be unlawful to use, possess, produce, manufacture, distribute, transport, sale, offer for sale, trade, barter, exchange or purchase synthetic marijuana and "bath salts" that have a chemical formulation not covered by the statutes but that provide the same effect as natural marijuana or methamphetamine, with similar health issues".

**NOW, THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby opposes any manufacture, sale, or use of synthetic marijuana or "bath salts" in Sullivan County as stated above and pledge to work in cooperation with other municipalities to enforce these statutes, and hereby adopt the attached ordinance to apply in Sullivan County outside the municipal boundaries of Kingsport, Bristol and Bluff City.

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this 19th day of December 2011.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

Sponsored By: John Gardner

Prime Co-Sponsor(s): Mark Bowery, Joe Herron, Linda Brittenham, Cathy Armstrong,  
Bob White, Terry Harkleroad, Matthew Johnson, Darlene Calton  
All Commissioners Voting "AYE"

2011-12-109	Administrative	Budget	Executive	County Commission
ACTION	Approved 12-5-11	Approved 12-8-11	Approved 12-6-11	Approved 12-19-11 21 Aye, 1 Pass, 2 Absent

Notes: Waiver of rules requested.



## AGENDA ACTION FORM

### Consideration of an Ordinance Amending the City Code to Include Provisions Pertaining to Certain Synthetic Drugs

To: Board of Mayor and Aldermen  
 From: John G. Campbell, City Manager

Action Form No.: AF-310-2011  
 Work Session: November 14, 2011  
 First Reading: November 15, 2011

Final Adoption: December 6, 2011  
 Staff Work By: Phillips, Quillin, Billingsley  
 Presentation By: Mayor Phillips and others

**Recommendation:** Approve the ordinance.

#### **Executive Summary:**

Synthetic drugs known as synthetic marijuana and "bath salts" are a health and safety problem that needs to be addressed. These drugs are readily available to anyone regardless of age at a number of locations in Kingsport. When ingested, synthetic marijuana causes an effect similar to that produced by natural marijuana. "Bath salts", sometimes called "plant food", "fake bath salts", "fake fertilizer" or "fake insect repellent", when ingested provides an effect similar to methamphetamine.

To combat the problems associated with these synthetic compounds, Tennessee enacted T.C.A. sections 39-17-438 (pertaining to synthetic marijuana) and 39-17-452 (pertaining to "bath salts"), copies of which are attached. These statutes attempt to regulate and control synthetic marijuana and "bath salts" by listing some of the chemical elements and compounds used to produce these synthetic drugs. So, the original chemical makeup of these synthetic drugs appears to be regulated by Tennessee law.

continued on the next page

#### **Attachments:**

1. Ordinance
2. T.C.A. section 39-17-438 (pertaining to synthetic marijuana)
3. T.C.A. section 39-17-452 (pertaining to "bath salts")
4. Excerpts from 2011 edition of "Drugs of Abuse: A DEA Resource Guide"
5. American Chemical Society (2011, August 30). New Tests for Dangerous 'Legal Marijuana,' 'Bath Salts' and Other Emerging Designer Drugs. *ScienceDaily*. Retrieved November 9, 2011 from <http://www.sciencedaily.com/releases/2011/08/110830213619>.
6. "White House Drug Policy Director Convenes Federal Agencies to Discuss Threat of Synthetic Drugs, a.k.a "Spice" and "Bath Salts", Wednesday September 7, 2011  
[http://www.whitehouse.gov/sites/default/files/ondcp/Fact\\_Sheets/20110907\\_statement\\_on\\_synthetic\\_stimulants\\_final\\_0.pdf](http://www.whitehouse.gov/sites/default/files/ondcp/Fact_Sheets/20110907_statement_on_synthetic_stimulants_final_0.pdf)
7. Designer Drugs; Adverse Effects of Spice and Bath Salts" [http://www.nmcphc.med.navy.mil/Healthy\\_Living/](http://www.nmcphc.med.navy.mil/Healthy_Living/)
8. College students and use of K2: an emerging drug of abuse in young persons, the electronic version of this article is the complete one and can be found online at: <http://www.substanceabusepolicy.com/content/6/1/16>
9. "Psychonaut Webmapping Research Group. (2009). MDPV Report. Institute of Psychiatry, King's College London: London, UK. <http://www.nascsa.org/NEWS/PsychonautMDPVreport.pdf>
10. Federal Register, Vol. 76, No. 40, Tuesday March 1, 2011, pages 11075 through 11078
11. Federal Register, Vol. 76, No. 204, Friday October 21, 2011, pages 65371 through 65375

Funding source appropriate and funds are available: \_\_\_\_\_

	Y	N	O
Joh	—	—	—
Mallicote	—	—	—
McIntire	—	—	—
Parham	—	—	—
Segelhorst	—	—	—
Shupe	—	—	—
Phillips	—	—	—



Now the chemical formulations of these synthetic drugs are being changed to avoid the application of these laws, but the effect of the new formulated drugs is the same or similar to the original formulation of synthetic marijuana and "bath salts". Apparently, there are thousands of chemical formulations available to create these drugs, making enforcement using the current law difficult, if not impossible. When a chemical compound is listed in the statute, a new formulation using a different recipe is introduced.

In short, synthetic drugs are being produced that apparently are not covered by these state laws, but they produce the same or similar effects for the user and have similar health consequences. The attached ordinance is intended to govern these reformulated synthetic drugs when they are not covered by Tennessee law. The ordinance does not regulate items that are already illegal. The purpose of the ordinance is to make it unlawful to use, possess, produce, manufacture, distribute, transport, sale, offer for sale, trade, barter, exchange or purchase synthetic marijuana and "bath salts" that have a chemical formulation not covered by the statutes but that provide the same effect as natural marijuana or methamphetamine, with similar health issues.

The United States Drug Enforcement Administration designates bath salts as a drug of concern, which poses a health risk to its users. An excerpt from the 2011 edition of "Drugs of Abuse: A DEA Resource Guide" is attached for your review. Studies have found that the usage of synthetic marijuana and bath salts caused serious health problems, including heart disease, liver failure, kidney disease and respiratory disease. Some studies and articles listed below are either attached for your consideration or a website is provided where the study or article can be found:

- American Chemical Society (2011, August 30). New Tests for Dangerous 'Legal Marijuana,' 'Bath Salts' and Other Emerging Designer Drugs. *ScienceDaily*. Retrieved November 9, 2011 from <http://www.sciencedaily.com/releases/2011/08/110830213619>.
- "White House Drug Policy Director Convenes Federal Agencies to Discuss Threat of Synthetic Drugs, a.k.a "Spice" and "Bath Salts", Wednesday September 7, 2011 [http://www.whitehouse.gov/sites/default/files/ondcp/Fact\\_Sheets/20110907\\_statement\\_on\\_synthetic\\_stimulants\\_final\\_0.pdf](http://www.whitehouse.gov/sites/default/files/ondcp/Fact_Sheets/20110907_statement_on_synthetic_stimulants_final_0.pdf)
- K2 Spice Bath Salts, Dayton Ohio Drug Testing, Medwork Occupational Health Care, accessed November 9, 2011; <http://www.medworkohio.com/k2-spice-bath-salts.htm>
- "'Bath Salts' Intoxication" *New England Journal of Medicine* 365;10 [nejm.org](http://www.nejm.org), September 8, 2011 found at [http://www.nmcphc.med.navy.mil/Healthy\\_Living](http://www.nmcphc.med.navy.mil/Healthy_Living) listed under Designer Drugs, Bath Intoxication
- "Designer Drugs; Adverse Effects of Spice and Bath Salts" [http://www.nmcphc.med.navy.mil/Healthy\\_Living/](http://www.nmcphc.med.navy.mil/Healthy_Living/)
- College students and use of K2: an emerging drug of abuse in young persons, the electronic version of this article is the complete one and can be found online at: <http://www.substanceabusepolicy.com/content/6/1/16>

Executive Summary AF 310-2011, continued page three

- 'Psychonaut Webmapping Research Group. (2009). MDPV Report. Institute of Psychiatry, King's College London: London, UK.  
<http://www.nascsa.org/NEWS/PsychonautMDPVreport.pdf>

One of the health risks of these synthetic drugs is the unknown nature of any long-term effects on the human body. Additionally, since these drugs are unregulated they can be sold to anyone, including very young children. These synthetic drugs with unknown chemical makeup, formulations and ingredients pose a potentially serious health risk to the citizens of this city.

For the protection of the public health these synthetic drugs should be made illegal. Even if the substances are labeled "not for human consumption", the real purpose is for human consumption. According to the Drug Enforcement Administration retailers often promote that routine urinalysis drug test will not detect the presence of these synthetic drugs.

In March, 2011 the DEA listed five synthetic cannabinoids (synthetic marijuana) as schedule 1 controlled substances under the federal Controlled Substances Act. Attached for your review is a copy of Federal Register, Vol. 76, No. 40, Tuesday March 1, 2011, pages 11075 through 11078. According to the information in those rules synthetic marijuana is typically laced on plant material, which is packaged and sold in small pouches or packets in tobacco and smoke shops, drug paraphernalia shops, gas stations, convenience stores as herbal incense products, giving customers of all ages direct access to these products.

In October, 2011 the Drug Enforcement Administration listed three synthetic cathinones (commonly known as "bath salts") as schedule 1 controlled substances under the federal Controlled Substances Act. Attached for your review is a copy of Federal Register, Vol. 76, No. 204, Friday October 21, 2011, pages 65371 through 65375. Included in these regulations is the history and current pattern of abuse of synthetic cathinones, the significance of abuse, and the risk to the public health. The regulations state,

Clinical case reports indicate that these synthetic cathinones produce a number of stimulant-like adverse effects such as palpitation, seizure, vomiting, sweating, headache, discoloration of the skin, hypertension, and hyper-reflexia. Adverse effects associated with consumption of these drugs as reported by abusers include nosebleeds, bruxism (teeth grinding), paranoia, hot flashes, dilated pupils, or blurred vision, dry mouth/thirst, palpitations, muscular tension in the jaw and limbs, headache, agitation, anxiety, tremor, and fever or sweating.

According to this document there have been reports in the scientific literature of deaths caused by individuals who were driving under the influence of these synthetic cathinones. These "bath salts" produce an effect similar to methamphetamine.

The attached ordinance is designed to protect the health and well-being of the public by regulating synthetic marijuana and "bath salts" created in a way to avoid regulation by state or federal law.

ORDINANCE NO. \_\_\_\_\_

~~SULLIVAN COUNTY~~  
~~CITY OF KINGSPORT~~  
AN ORDINANCE AMENDING THE CODE OF ORDINANCES,  
CITY OF KINGSPORT, TENNESSEE BY ADDING PROVISIONS  
MAKING CERTAIN FINDINGS RELATIVE TO SYNTHETIC  
MARIJUANA, "BATH SALTS" AND SIMILAR COMPOUNDS;  
MAKING THE USE, POSSESSION, PRODUCTION,  
MANUFACTURE, DISTRIBUTION, TRANSPORT, SELL,  
OFFERING FOR SALE, TRADE, BARTER, EXCHANGE OR  
PURCHASE OF CERTAIN SUBSTANCES UNLAWFUL;  
PROVIDING FOR CERTAIN EXCEPTIONS; FIXING A PENALTY  
FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR  
THE SEVERABILITY OF THIS ORDINANCE; AND FIXING THE  
EFFECTIVE DATE OF THIS ORDINANCE

**Sullivan County**  
BE IT ORDAINED BY THE ~~CITY OF KINGSPORT~~, as follows:

**Sullivan County**  
SECTION I. That the Code of Ordinances, ~~City of Kingsport~~, Tennessee, is hereby  
amended by adding the following new sections to be appropriately numbered to conform with  
the numbering system used in the ~~Kingsport City Code~~: **Sull**

**Sec. \_\_. Findings.**

The board makes the following findings:

1) T.C.A. section 39-17-438 pertaining to substances generally known as "synthetic marijuana" and T.C.A. section 39-17-452 pertaining to substances generally known as "bath salts" govern certain actions regarding the substances listed in those statutes and certain synthetic derivatives or analogues of compounds listed therein, but the board has been informed that the chemical makeup of these synthetic drugs is or can be changed to avoid using the listed substances, while providing the same effect and detrimental health risk, making enforcement of such the statutes difficult and ineffective.

2) Synthetic marijuana and "bath salts" are being manufactured in a way to avoid the application of existing state and federal laws.

3) Studies have indicated that synthetic marijuana usage includes the dangers associated with using natural marijuana, with additional danger to the public health due, in part, to the unknown nature of any long term effects of this synthetically created substance.

4) The board finds that synthetic marijuana (synthetic cannabinoids) or compounds that emulate or simulate the effects of synthetic cannabinoids through chemical changes such as the addition, subtraction or rearranging of a radical or the addition, subtraction or rearranging of a substituent have been developed such that it can create similar hallucinogenic qualities to natural marijuana and such items are now being possessed, distributed, and sold in the ~~city~~.**county.**

5) The board finds a manufactured product known as "Bath Salts", "Plant Food", "Fake Bath Salts", "Fake Fertilizer", and/or "Fake Insect Repellant" has been developed, and that compounds that emulate or simulate the effects of such synthetic derivatives or analogues of cathinone or methcathinone or the derivatives or analogues of the chemicals or compounds listed in T.C.A. section 39-17-452 through chemical changes such as the addition, subtraction or rearranging of a radical or the addition, subtraction or rearranging of a substituent have been developed and are now being possessed, distributed, and sold in the ~~city~~ <sup>county</sup> and the usage of these compounds have effects similar to methamphetamine.

6) The 2011 edition of the U. S. Drug Enforcement Administration's "Drugs of Abuse: A DEA Resource Guide," designates bath salts as a drug of concern which poses risks to users.

7) The use of these types of compounds can be extremely addictive, and are not currently detectable by drug testing procedures commonly used in the workplace.

8) The use of synthetic marijuana or "bath salts", even with the change in chemical compounds, creates a danger to the health and safety of the public, and to protect the health and welfare of the public it is necessary to prohibit the use, sale, possession and distribution of said compounds, not otherwise controlled by state or federal law.

9) Pursuant to the ~~Kingsport City Charter~~ <sup>state law</sup> ~~the city~~ <sup>county</sup> has the authority to license and regulate all persons, firms, corporations, companies and associations engaged in any business, occupation, calling, profession or trade not prohibited by law; to define and prohibit, abate, suppress, prevent and regulate all acts, practices, conduct, business, auctions, occupations, callings, trades, uses of property and all other things whatsoever detrimental or liable to be detrimental to the ~~health, morals, comfort, safety, convenience or welfare of the inhabitants of the city~~ <sup>health, morals, comfort, safety, convenience or welfare of the inhabitants of the county</sup> and to exercise general police powers; to prescribe limits within which business occupations and practices liable to be nuisances or detrimental to the health, morals, security or general welfare of people may lawfully be established, conducted or maintained.

10) The use, possession, production, manufacture, distribution, transporting, selling, offer for sale, trading, bartering, exchanging or purchase of the substances addressed herein is detrimental to the health, safety, or welfare of the inhabitants of the ~~city~~ <sup>county</sup>, and absent action by board such activity is currently lawful in the ~~city~~ <sup>county</sup>, and to protect the health, safety or welfare of the inhabitants of the ~~city~~ <sup>county</sup> such activity should be made unlawful.

#### Sec \_\_\_\_ Definitions.

The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section:

*Controlled substance* means any Schedule I, II, III, or IV drug as listed in T.C.A. title 39, part 17, (including opiates, opium derivatives, hallucinogenic

substances, methamphetamine, MDMA, cocaine, PCP, marijuana, cannabis, cannabinoids, cannabicyclohexanol, and tetrahydrocannabinols), and also includes, but is not limited to, "bath salts," "plant food," "incense," or "insect repellent," however denominated, and no matter the common street, brand or trade name of such substance, but does not include legitimate bath salts containing as the main ingredient the chemicals sodium chloride (sea salt) and/or magnesium sulfate (Epsom salt), or legitimate plant foods or insect repellent not intended for human consumption, or legitimate incense used as an odor elimination product.

*Package* means each single unit marketing package or packaging for the substances prohibited herein.

*Practitioner* means any physician, dentist, optometrist, veterinarian, pharmacist, scientific investigator or other person who is licensed, registered, or otherwise lawfully permitted to distribute, dispense, conduct research with respect to, or to administer a synthetic drug as defined herein in the course of professional practice or research in the State of Tennessee; or (B) a pharmacy, hospital or other institution licensed, registered, or otherwise lawfully permitted to distribute, dispense, conduct research with respect to, or to administer a synthetic drug as defined herein in the course of professional practice or research in the State of Tennessee.

#### **Sec \_\_\_\_.** Offenses.

(a) It shall be unlawful for any person to use, possess, produce, manufacture, distribute, transport, sell, offer for sale, trade, barter, exchange or purchase any amount, including any packet, capsule, pill, or product, of any chemical compound or synthetic drug not governed by T.C.A. section 39-17-438 that:

(1) emulates, replicates, mimics, simulates or causes a similar reaction to the effects of any controlled substance, any synthetic drug or chemical compound listed in T.C.A. section 39-17-438, marijuana, cannabis or synthetic marijuana, including any drug or chemical compound that is privately compounded that circumvents the compounds listed in T.C.A. section 39-17-438 for synthetic cannabinoids, including through chemical changes such as the addition, subtraction or rearranging of a radical or the addition, subtraction or rearranging of a substituent; or

(2) the chemical structure of which is substantially similar to the chemical structure of a compound listed in T.C.A. section 39-17-438.

(b) It shall be unlawful for any person to use, possess, produce, manufacture, distribute, transport, sell, offer for sale, trade, barter, exchange or purchase any amount, including any packet, capsule, pill, or product, of any chemical compound or synthetic drug not governed by T.C.A. section 39-17-452 that:

(1) emulates, replicates, mimics, simulates or causes effects similar to any controlled substance or any synthetic drug or chemical compound listed in

T.C.A. section 39-17-452, or a reaction similar to the effects of a psychoactive drug with stimulant properties which acts as a norepinephrine-dopamine reuptake inhibitor (NDRI), including any drug or chemical compound that is privately compounded that circumvents the synthetic derivatives or analogues of cathinone or methcathinone or the derivatives or analogues listed in T.C.A. section 39-17-452, including through chemical changes such as the addition, subtraction or rearranging of a radical or the addition, subtraction or rearranging of a substituent; or (2) the chemical structure of which is substantially similar to the chemical structure of a compound listed in T.C.A. section 39-17-438; or

(2) the chemical structure of which is substantially similar to the chemical structure of a compound listed in T.C.A. section 39-17-438.

(c) It is not a defense to the offenses set out in subsection (a) or (b) that the item is not intended for human consumption.

~~(d)~~ **This ordinance shall apply in Sullivan County outside the municipal boundaries of Kingsport, Bristol and Bluff City.**  
**Sec. \_\_\_\_ Exceptions.**

(a) An act otherwise prohibited and unlawful pursuant to this ordinance shall be lawful if done by or under the direction, while acting in the course of his professional practice, of a practitioner, as defined herein, provided such act is otherwise permitted by general law.

(b) The provisions of this ordinance shall not apply to any substances regulated as controlled substances by the United States Food and Drug Administration or the Drug Enforcement Administration, including any dosage form that is legally obtainable from a retail establishment without a prescription and is recognized by the United States Food and Drug Administration as a homeopathic drug.

(c) This ordinance is not intended to and shall not be construed to supersede any other federal or state law pertaining to synthetic drugs now or hereafter in effect, but to supplement any such laws in so far as lawfully permitted.

**Sec. \_\_\_\_ Penalty.**

Any person violating this ordinance shall be guilty of an offense and shall be assessed a civil fine as a penalty of \$50.00 and court costs for each violation. Each day of violation shall be deemed a separate violation. The possession, production, manufacture, distribution, transportation, sell, offer for sale, trade, barter, exchange or purchase of each separate package containing any prohibited substance as set out herein shall be deemed a separate violation of this ordinance.

**Sec. \_\_\_\_ Severability.**

It is hereby declared that the sections, clauses, sentences and parts of this ordinance are severable, are not matters of mutual essential inducement, and any of them shall be excised if the ordinance would otherwise be unconstitutional or ineffective. If any section, sentence, clause or phrase of this

ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

SECTION II. This ordinance shall take effect from and after its date of passage, as the law directs, the welfare of the ~~City of Kingsport, Tennessee~~ <sup>Sullivan County</sup> requiring it.

~~DENNIS R. PHILLIPS~~    **STEVE GODSEY**  
Mayor

ATTEST:

~~JAMES H. DEMMING~~    **JEANIE GAMMON**  
City Recorder            COUNTY CLERK

APPROVED AS TO FORM:

~~J. MICHAEL BILLINGSLEY~~    **DANIEL STREET**  
City Attorney                COUNTY ATTORNEY

Passed on First Reading: \_\_\_\_\_  
Passed on Second Reading: \_\_\_\_\_

Sullivan County, Tennessee  
Board of County Commissioners

Item 9  
Administrative/ Budget/Executive  
No. 2011-12-110  
Amendment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of December, 2011.

**Resolution To Stop A Resolution That Has Failed In The Sullivan County Commission From Being Revived For Another Vote**

WHEREAS, a resolution that has gone through first reading and the three main committees has been subjected to thorough discussion and does not need to take up more valuable time at a later date; and

WHEREAS, Commissioners are elected by the voting public to address many issues and needs in Sullivan County and it is counterproductive to the entire process if our effectiveness is limited by unnecessary attention to a subject that has already had a Full Commission vote, and has been rejected.

**NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby agrees that a Failed Resolution is not to be revived taking up valuable time that is needed for other important County business.**

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

Attested: \_\_\_\_\_  
Jeanie Gammon, County Clerk

Approved: \_\_\_\_\_  
Steve M. Godsey, County Mayor

**Sponsored By: John Crawford**  
**Prime Co-Sponsor(s): Matthew Johnson, W. G. "Bill" Kilgore**

2011-12-110	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	No Action 12-5-11	Approved 12-8-11	Approved 12-6-11	

Notes: **1st Reading 12-19-11;**



Amendment No. 1 To Resolution No. 2011-12-110

December 19, 2011

Whereas, it is standard procedure for a resolution to be considered upon first reading by suspending the rules with a 2/3 vote of the Full County Commission (16 votes), commonly referred to as "Waiver Of Rules"/"First Reading".

Whereas, when a resolution is brought before the Full Sullivan County Commission on First Reading, and a vote is taken at that time on a Waiver Of The Rules which nets less than 13 votes in its failure, it is to be removed from the agenda that day and cannot be returned to another agenda for a minimum of 30 days following that vote.

By Sponsor: John Crawford

Sullivan County, Tennessee  
Board of County Commissioners

Item 10  
Budget/Executive  
No. 2011-12-111

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of December, 2011.

**RESOLUTION Authorizing The Sullivan County Department Of Archives And Tourism To Receive Donations For The Battle Of Blountville Military State Park, With Said Donations To Be Placed In A Special County Fund Earmarked For The Battle Of Blountville Military State Park. Further, Said Donations Shall Be Earmarked By Sullivan County Accounts And Budgets For Said Park, With Proper Accounting Codes To Be Assigned By Sullivan County Accounts And Budgets**

WHEREAS, the Battle of Blountville Military State Park Executive Steering Committee has been formed in conjunction with the Sullivan County Department of Archives and Tourism in the interests of developing a Battle of Blountville State Military Park; and

WHEREAS, in February 2011, the Board of County Commissioners of Sullivan County approved a Resolution authorizing the Battle of Blountville Military State Park Executive Steering Committee to conduct a feasibility study in conjunction with the Sullivan County Department of Archives and Tourism for establishment of a military state park at historic Blountville; and

WHEREAS, the Sullivan County Department of Archives and Tourism is currently working with the Battle of Blountville Military State Park Executive Committee in the development of the park, in the branding process for the park and in planning various fund-raising campaigns to begin in 2012; and

WHEREAS, some donations may be made locally at the Sullivan County Department of Archives and Tourism designated for the Battle of Blountville Military State Park.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize The Sullivan County Department of Archives and Tourism to Receive Donations for the Battle of Blountville Military State Park, With Said Donations To Be Placed In A Special County Fund Earmarked For The Battle of Blountville Military State Park. Further, Said Donations Shall Be Earmarked By Sullivan County Accounts And Budgets For Said Park, With Proper Accounting Codes To Be Assigned By Sullivan County Accounts And Budgets.**

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this 19th day of December 2011.

Attested: Jeanie Gammon  
Jeanie Gammon, County Clerk

Approved: Steve M. Godsey  
Steve M. Godsey, County Mayor

**Sponsored By: Matthew Johnson**  
**Prime Co-Sponsor(s): Dennis Houser**  
**All Commissioners Voting "AYE"**

2011-12-11	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Approved 12-5-11	Approved 12-8-11	Approved 12-6-11	<b>Approved 12-19-11</b> <b>21 Aye, 1 Pass, 2 Absent</b>

Notes: **Waiver of rules requested.**

Sullivan County, Tennessee  
Board of County Commissioners

Item 11  
Budget  
No. 2011-12-112

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of December, 2011.

**RESOLUTION To Amend The 2011 – 2012 General Purpose School Budget To Include A Donation Received From C. M. (Bill) Gatton In The Amount Of \$22,600.00**

WHEREAS, Mr. Gatton has been an automobile dealer in the Tri-Cities for more than 40 years; and

WHEREAS, Mr. Gatton chose to mark this occasion by making a gift to many of the teachers in our area school systems; and

WHEREAS, funding was provided to the Sullivan County Department of Education to give \$50 to each teacher in the Central and East school zones; and

WHEREAS, the Sullivan County Department of Education Board approved this donation with no additional local funds required.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes amending the General Purpose School Budget as follows:**

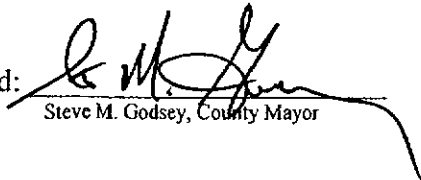
Account Number	Account Description	Amount
48610.000	Donations	+22,600.00
71100.599	Regular Instruction-Other Supplies and Materials	+22,600.00

*Waiver Of Rules Requested*

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this 19th day of December 2011.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Joe Herron**

**Prime Co-Sponsor(s): Matthew Johnson, John Gardner, Bryan Boyd, Baxter Hood, Terry Harkleroad, All Voting "AYE"**

2011-12-112	Administrative	Budget	Executive	County Commission
<b>ACTION</b>		Approved 12-8-11	Approved 12-6-11	<b>Approved 12-19-11</b> <b>21 Aye, 1 Pass, 2 Absent</b>

Notes: **Waiver of rules requested.**

Sullivan County, Tennessee  
Board of County Commissioners

Item 12  
Executive  
No. 2011-12-113  
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of December 2011.

**RESOLUTION To Authorize Placing 25 MPH Speed Limit Signs At Bays Mountain Trail In The 8th Commissioner District**

WHEREAS, Commissioner Eddie Williams requested the Sullivan County Highway Department to make this change; and,

WHEREAS, the Sullivan County Highway Department reviewed the request and approved same;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the following traffic sign placement in Sullivan County:

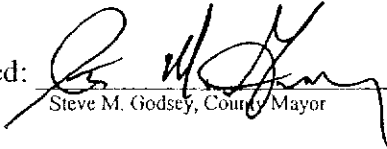
**8th Commission District**

**To Place 25 MPH Speed Limit Signs  
At Bays Mountain Trail**

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this 19th day of December 2011.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Eddie Williams**  
**Prime Co-Sponsor(s): Darlene Calton**

2011-12-113	Administrative	Budget	Executive	County Commission
<b>ACTION</b>		Approved 12-8-11	Approved 12-6-11	<b>Approved 12-19-11</b> <b>22 Aye, 2 Absent</b>

Notes: **Waiver of rules requested.**

  
**SULLIVAN COUNTY**  
**HIGHWAY DEPARTMENT**  
P.O. BOX 590  
**BLOUNTVILLE, TENNESSEE 37617**

Terry A. Shaffer  
Highway Commissioner

147 County Hill Road • Blountville, TN  
Phone (423) 279-2820 • Fax (423) 276-2876

**RESOLUTION REQUEST REVIEW**

DATE: 11-29-2011

TO: Sullivan County Commission

REQUEST MADE BY: Eddie Williams

SUBJECT: To place a 25 MPH SIGNS  
AT BAYS MTN TRAIL

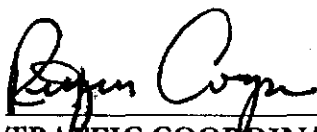
8th COMMISSIONER DISTRICT

DARLENE CALTON

APPROVED BY HIGHWAY DEPARTMENT

DENIED BY HIGHWAY DEPARTMENT

COMMENTS:

 11/29/2011  
TRAFFIC COORDINATOR      DATE

 11/29/2011  
HIGHWAY COMMISSIONER      DATE

Sullivan County, Tennessee  
Board of County Commissioners

Item 13  
Executive  
No. 2011-12-114  
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of December, 2011.

**RESOLUTION To Adopt The Sullivan County Highway Department Road Atlas**

**WHEREAS**, annually the Sullivan County Highway Department reviews and updates a listing of County Roads as required by the Tennessee law; and

**WHEREAS**, attached hereto is a summary of the revisions dated December 1, 2011, which are necessary to bring the official Sullivan County Road Atlas up-to-date.

**NOW THEREFORE BE IT RESOLVED**, that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorize the adoption of the Sullivan County Road Atlas as amended. (The Sullivan County Road Atlas in its entirety is on record and available in the Office of the Sullivan County Highway Department for review.)

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

Attested: \_\_\_\_\_  
Iceme Gammon, County Clerk

Approved: \_\_\_\_\_  
Steve M. Godsey, County Mayor

**Sponsored By: ~~Dwight King~~ Eddie Williams**  
**Prime Co-Sponsor(s): ~~Eddie Williams~~ Wayne McConnell**

2011-12-114	Administrative	Budget	Executive	County Commission
ACTION		No Action 12-8-11	Approved 12-6-11	

Notes: 1st Reading 12-19-11;

**December 2011  
Atlas Changes**

Dec-11	Grove Drive	annexed by Kingsport	-0.30
Jan-11	Harding Road ( part ) .08 remains	annexed by Kingsport	-0.09
Jan-11	Julip Drive	annexed by Kingsport	-0.15
Dec-11	Kendrick Creek Road ( part ) .39 remains	annexed by Kingsport	-1.02
Apr-11	Kingfisher Court	annexed by Kingsport	-0.12
Oct-11	Lebanon Road ( part ) 2.36 remains	annexed by Kingsport	-0.33
Dec-11	Lindkaye Drive	annexed by Kingsport	-0.09
Apr-11	Lookout Drive	annexed by Kingsport	-0.12
Oct-11	Meadow Brook Drive	annexed by Kingsport	-0.21
Dec-11	Meadow Crest Drive	annexed by Kingsport	-0.05
Dec-11	Meadow Dale Circle	annexed by Kingsport	-0.05
Dec-11	Meadow Glade Circle	annexed by Kingsport	-0.05
Dec-11	Meadow Glen Circle	annexed by Kingsport	-0.03
Dec-11	Meadow Lane ( part ) .20 remains	annexed by Kingsport	-1.45
Jan-11	Meadow Lane Extension	annexed by Kingsport	-0.02
Oct-11	Montford Drive	annexed by Kingsport	-0.08
Jan-11	Montvue Road	annexed by Kingsport	-0.06
Dec-11	Morning Dove Drive ( part ) .03 remains	annexed by Kingsport	-0.18
Dec-11	Oak Court	annexed by Kingsport	-0.03
Dec-11	Oakmont Drive ( part ) .27 remains	annexed by Kingsport	-0.41
Dec-11	Parkway Drive	annexed by Kingsport	-0.28
Dec-11	Partridge Place	annexed by Kingsport	-0.12
Jan-11	Pawnee Court	annexed by Kingsport	-0.09
Dec-11	Pheasant Court	annexed by Kingsport	-0.05
Dec-11	Quail Heights Court	annexed by Kingsport	-0.10
Dec-11	Quail Hill Circle	annexed by Kingsport	-0.05
Jan-11	Red Oak Lane ( part ) .05 remains	annexed by Kingsport	-0.12
Oct-11	Ridgemont Drive ( part ) .03 remains	annexed by Kingsport	-0.12
Oct-11	Rosehaven Court	annexed by Kingsport	-0.10
Dec-11	Scenic Court	annexed by Kingsport	-0.09
Dec-11	Shadyside Drive ( part ) .60 remains	annexed by Kingsport	-0.05
Oct-11	Shiple Ferry Road W. ( part ) .30 remains	annexed by Kingsport	-0.35
Apr-11	Sir Echo	annexed by Kingsport	-0.55
Jan-11	Spearhead Circle	annexed by Kingsport	-0.01
Jan-11	Spring Lane	annexed by Kingsport	-0.04
Apr-11	Springbrook Drive	annexed by Kingsport	-0.11
Oct-11	Stella Street	annexed by Kingsport	-0.05
Jan-11	Summer Hills Court	annexed by Kingsport	-0.12
Dec-11	Sylvan Drive	annexed by Kingsport	-0.10
Dec-11	Teal Court	annexed by Kingsport	-0.10







Sullivan County, Tennessee  
Board of County Commissioners

Item 14  
Administrative/Budget  
No. 2011-12-115

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of December, 2011.


**Resolution To Request Additional Funding To Cover Refurbishing Air Handlers For The Sullivan County Jail And Sheriff Administrative Buildings**

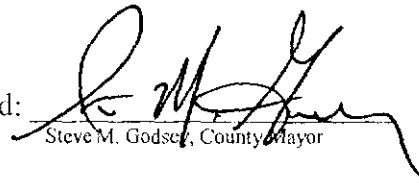
WHEREAS, the Sullivan County Sheriff's Department along with Claude Smith, Sullivan County - County Buildings Administrator, has received a quote from the Trane Company to repair/refurbish the Air Handler systems at the Sullivan County Jail and Administrative buildings in the amount of \$68,463.00. The repairs have been put off as long as possible and if the handlers are not refurbished at this point they will require being replaced at an estimated cost of \$250,000.00. The State requires that all Jail "cell/holding" areas be kept at a certain temperature and with the system operating as it is, we cannot meet these requirements and the Jail and Sheriff budgets cannot withstand this cost with the funding they currently receive.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session appropriate funding to cover the \$ 68,463.00 for the repairs as quoted ~~and any additional cost that may arise in completing this repair.~~**

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this 19th day of December 2011.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Eddie Williams**

**Prime Co-Sponsor(s): ~~Dwight King~~, Darlene Calton**

2011-12-115	Administrative	Budget	Executive	County Commission
ACTION				Approved 12-19-11 22 Aye, 2 Absent

Notes: **Waiver of rules requested**  
**Amended by Sponsor to delete "and any additional cost that may arise in completing this repair" in the last paragraph.**

Sullivan County, Tennessee  
Board of County Commissioners

Item 15  
Administrative/Budget  
No. 2011-12-116

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of December, 2011.

**Resolution To Request Two (2) Part-Time Positions For The Corrections Day Worker Program**

WHEREAS, the Sullivan County Sheriff's Department Corrections division now operates the "Day Worker" program with 3 part time employees and 1 full time employee paid from the Jail. The full time employee is a female working evenings to cover the cleaning crew for County Buildings. It is no longer possible for this person to be used in this capacity as she is needed in the Jail due to the number of female inmates and female employees required to cover this. This was done on a trial basis until someone could be placed in the part time position to cover the evening "day worker" crew. The 3 part time employees work daily taking crews to various places doing work all over Sullivan County which has ranged from mowing grass and cleaning to working in the recycling center and working on the Santa Train and many things in between. We have had 614 persons sentenced to this program versus doing "jail time" at a cost savings of around \$41.00 per day per person. They have put in a total of 60,200 working hours; minimum wage value of those hours worked would have been around \$436,000.00.

There are several issues that necessitate the need for 2 additional part time persons for the Day Worker program. If someone is sick or on vacation or an emergency arises for someone scheduled to work; there is no one to fill in that position. The sentenced workers are scheduled to report and someone has to be there to oversee the work crew for that time. These positions will pay \$10.00 per hour and each person will average 20-30 hours per week per year therefore requiring additional funding of \$34,000.00.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session approve 2 additional part time positions and appropriate an additional \$34,000.00 to cover the personnel and payroll benefits cost in the Day Worker Program.**

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

Attested: \_\_\_\_\_  
Jeanie Gammon, County Clerk

Approved: \_\_\_\_\_  
Steve M. Godsey, County Mayor

**Sponsored By: John Crawford**  
**Prime Co-Sponsor(s): Matthew Johnson**

2011-12-116	Administrative	Budget	Executive	County Commission
ACTION				

Notes: 1st Reading 12-19-11;

Sullivan County, Tennessee  
Board of County Commissioners

Item 16  
Executive  
No. 2011-12-117

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of December, 2011.

**RESOLUTION To Adopt A Reapportionment/Redistricting Plan For Sullivan County Constables**

**WHEREAS**, Tennessee Code Annotated, Section 5-1-111, requires that, at least every ten (10) years, county constable districts shall change the boundaries of districts or redistrict a county entirely if necessary to apportion the county constable districts so that the members represent substantially equal populations; and

**WHEREAS**, Sullivan County has prepared a plan consistent with the provisions of Tennessee Code Annotated, section 5-1-111, which provides for county constable districts composed of twenty four (24) constables and which creates eleven (11) districts, as depicted on the official redistricting map for Sullivan County prepared pursuant to Tennessee Code Annotated, Section 5-1-110.

**NOW, THEREFORE, BE IT RESOLVED**, by the Sullivan County Legislative Body meeting in regular session at Blountville Tennessee, on this nineteenth, day of December 2011, that:

**SECTION 1.** There is hereby adopted a reapportionment plan for Sullivan County Constables which provides for twenty four (24) Constables, with three (3) Constables in districts two (2), four (4), six (6) and eleven (11) and provides for two (2) Constables in districts five (5), seven (7), eight (8), nine (9) and ten (10), and with one (1) Constable in districts one (1) and three (3). The districts for county Constables are depicted on the official redistricting map for Sullivan County prepared pursuant to Tennessee Code Annotated, Section 5-1-110. A copy of the redistricting map is being furnished as Exhibit A to this resolution and is incorporated herein as reference.

**SECTION 2.** All Constables shall be elected at large within the district wherein the candidate seeks election. The candidates receiving the greatest number of votes in each district shall be elected.

**SECTION 3.** This plan shall take effect upon passage, the public welfare requiring it, provided that vacancies shall be filled in accordance with Tennessee Code Annotated, Section 5-1-104.

*Waiver Of Rules Requested*

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this 19th day of December 2011.

Attested:   
Jamie Gammon, County Clerk

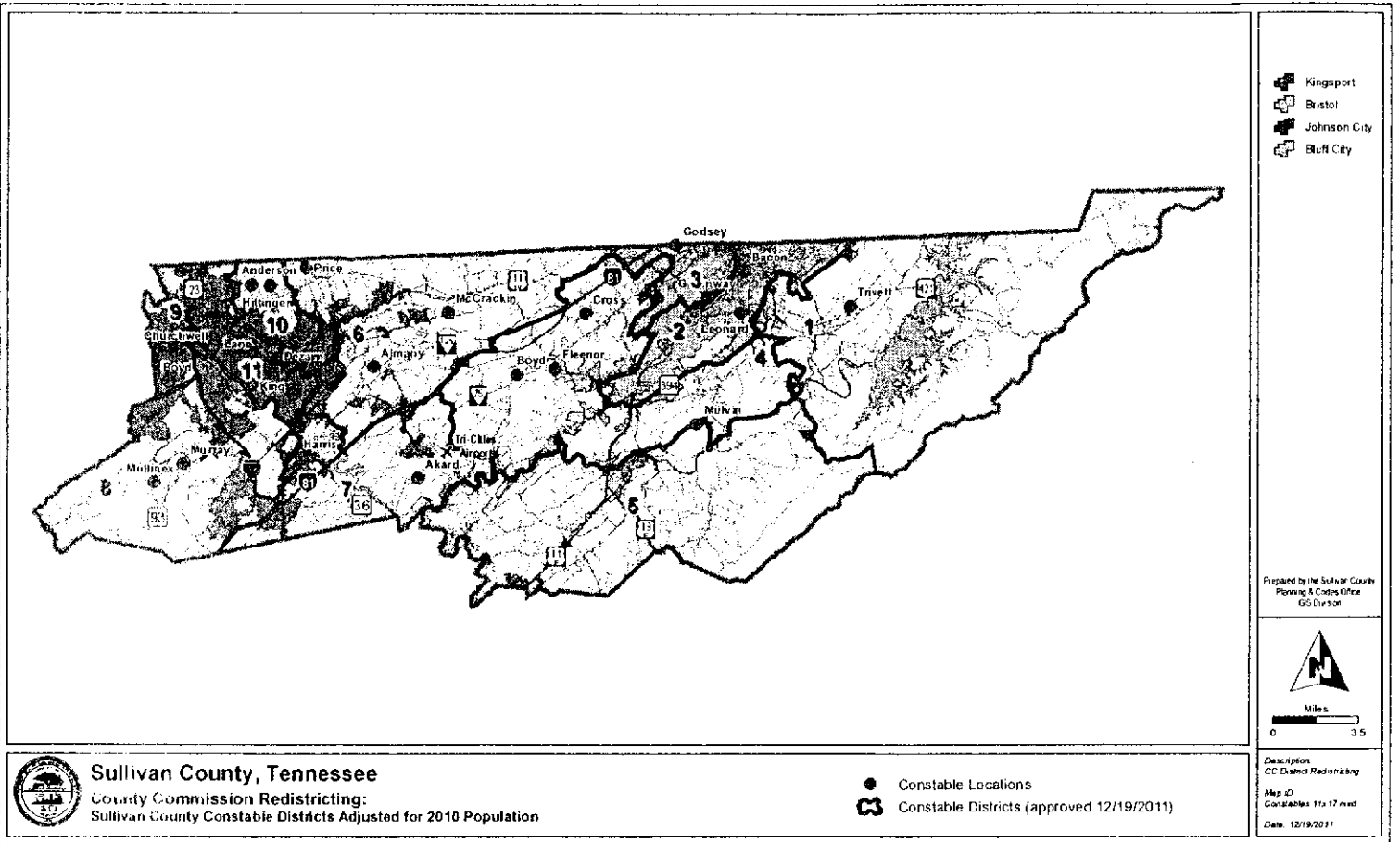
Approved:   
Steve M. Godsey, County Mayor

Sponsored By: W.G. "Bill" Kilgore

Prime Co-Sponsor(s): Dwight King, Randy Morrell, Terry Harkleroad, Bryan Boyd,  
James "Moe" Brotherton, Mark Bowery, Ed Marsh

2011-12-117	Administrative	Budget	Executive	County Commission Approved 12-19-11 20 Aye, 2 Nay, 2 Absent
ACTION				

Notes:



- Kingsport
- Bristol
- Johnson City
- Bluff City

Prepared by the Sullivan County  
Planning & Codes Office  
GIS Division



Miles  
0 3.5



**Sullivan County, Tennessee**  
County Commission Redistricting:  
Sullivan County Constable Districts Adjusted for 2010 Population

- Constable Locations
- Constable Districts (approved 12/19/2011)

Description  
CC District Redistricting  
Map ID  
Constables 11x17.mxd  
Date: 12/19/2011

Sullivan County, Tennessee  
Board of County Commissioners

Item 17  
Executive  
No. 2011-12-118

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of December, 2011.

**RESOLUTION TO Adopt A Reapportionment/Redistricting Plan For Sullivan County School Board**

**WHEREAS**, Tennessee Code Annotated, Section 5-1-111, requires that, at least every ten (10) years, county school board districts shall change the boundaries of districts or redistrict a county entirely if necessary to apportion the county school board districts so that the members represent substantially equal populations; and

**WHEREAS**, Sullivan County has prepared a plan consistent with the provisions of Tennessee Code Annotated, section 5-1-111, which provides for seven (7) county school board districts. One school board members shall be elected from each district.

**NOW, THEREFORE, BE IT RESOLVED**, by the Sullivan County Legislative Body meeting in regular session at Blountville Tennessee, on this nineteenth, day of December 2011, that:

**SECTION 1.** There is hereby adopted a reapportionment plan for Sullivan County School Board which provides for seven (7) districts. The districts for School Board of Sullivan County are depicted on the official redistricting map for Sullivan County prepared pursuant to Tennessee Code Annotated, Section 5-1-110. A copy of the redistricting map is attached as Exhibit A to this resolution and is incorporated herein as reference.

**SECTION 2.** All School board members shall be elected at large within the district wherein the candidate seeks election. The candidate receiving the greatest number of votes in each district, as described in Section 1, shall be elected.

**SECTION 3.** This plan shall take effect upon passage, the public welfare requiring it, provided that vacancies shall be filled in accordance with Tennessee Code Annotated, Section 5-1-104.

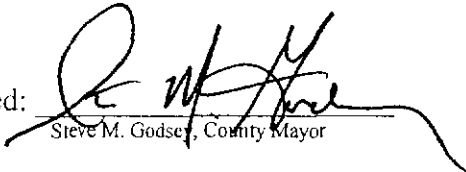
*Waiver Of Rules Requested*



This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this 19th day of December 2011.

Attested:   
Jeanie Gammon, County Clerk

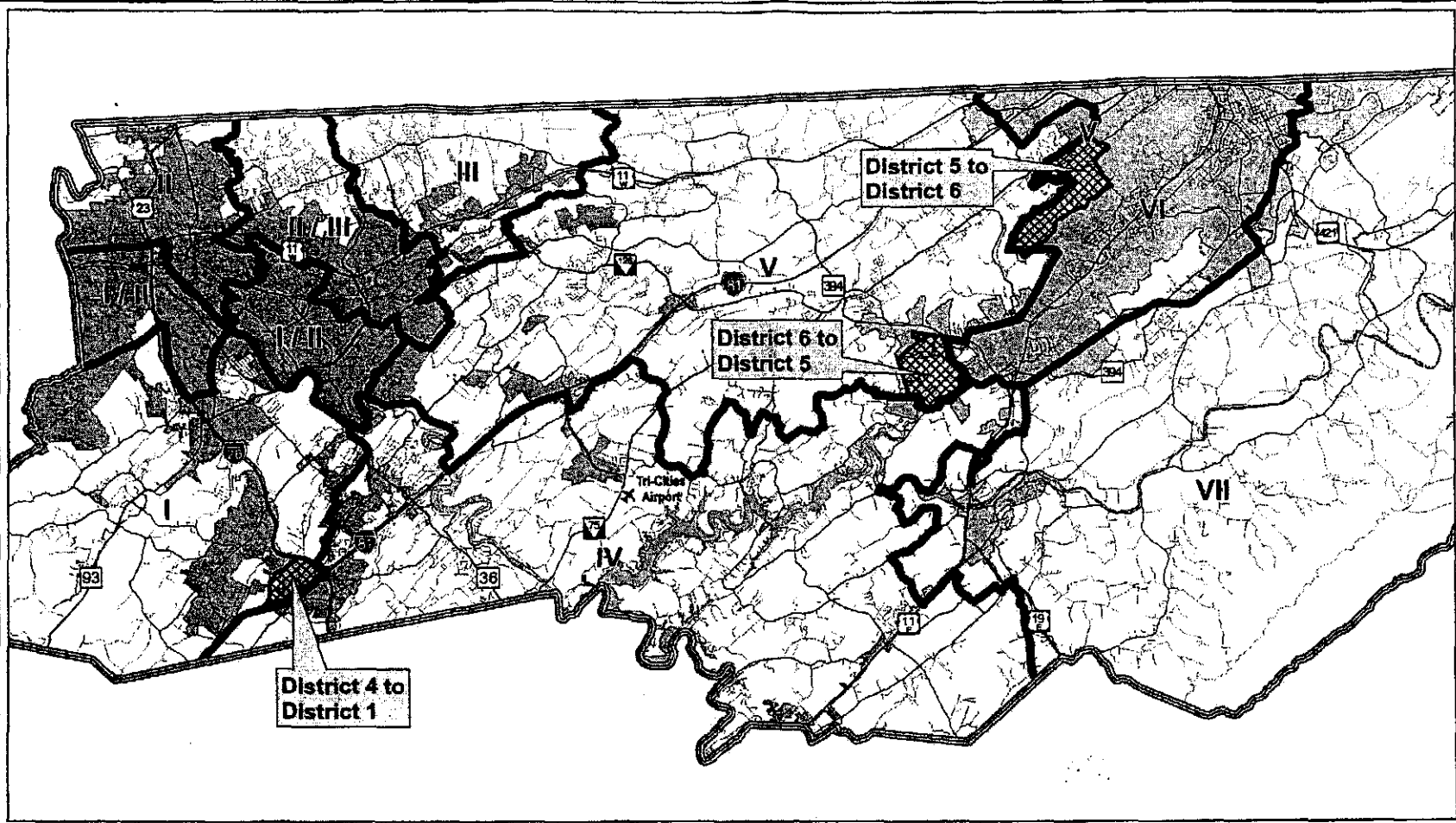
Approved:   
Steve M. Godsey, County Mayor

Sponsored By: W.G. "Bill" Kilgore

Prime Co-Sponsor(s): Dwight King, Randy Morrell, Terry Harkleroad, Bryan Boyd,  
James "Moe" Brotherton, Mark Bowery, Ed Marsh

2011-12-118	Administrative	Budget	Executive	County Commission
ACTION				Approved 12-19-11 18 Aye, 2 Nay, 4 Absent

Notes:



- Kingsport
- Bristol
- Johnson City
- Bluff City

Prepared by the Sullivan County  
Planning & Codes Office  
GIS Division



**Sullivan County, Tennessee**  
**County Commission Redistricting:**  
**Current School Districts Adjusted for 2011 Voting Precinct Changes**

- Adjusted School Districts (Approved 12/19/2011)
- Adjusted Areas

Description:  
 School District Redistricting  
 Map ID:  
 Option 1 County11x17.mxd  
 Date: 12/19/2011

Sullivan County, Tennessee  
Board of County Commissioners

Item 18  
Budget  
No. 2011-12-119  
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of December, 2011.

**RESOLUTION To Approve For Sullivan County To Pay Over Funds Collected From Victims Assistance Assessment Fee To The Child Advocacy Center**

**WHEREAS**, this body established a "victims assistance assessment" fee of \$45 per applicable case less \$3 Clerk Fee in 2008 per resolution 2008-05-73 with the Child Advocacy Center of Sullivan County designated as the recipient of these funds; and

**WHEREAS**, the fee collected by the Courts of Sullivan to a total of more than \$25,000 to be paid over to the Sullivan County Child Advocacy Center.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the disbursement of the \$25,000 to be paid to the Child Advocacy Center of Sullivan County. (Account codes to be assigned by the Director of Accounts and Budgets.)

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

Attested: \_\_\_\_\_  
Jeanie Gammon, County Clerk

Approved: \_\_\_\_\_  
Steve M. Godsey, County Mayor

**Sponsored By: Bryan Boyd**  
**Prime Co-Sponsor(s): Cathy Armstrong**

2011-12-119	Administrative	Budget	Executive	County Commission
<b>ACTION</b>				

Notes: **1st Reading 12-19-11;**

Sullivan County, Tennessee  
Board of County Commissioners

*Attachment  
To Resolution  
No. 2011-12-119*

Item 9  
Administrative  
No. 2008-05-73  
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of May, 2008.

**RESOLUTION To Accept Tennessee Code Annotated 40-24-109 to Establish A Victims Assistance Assessment of \$45.00**

**WHEREAS**, Tennessee Code Annotated 40-24-109, allows for any county legislative body to establish a "victims assistance assessment" of \$45.00, to fund a program which assists victims of crime; and

**WHEREAS**, this assessed fee will be collected from any person who: A) enters a plea of guilty; B) is found guilty by a judge or jury; C) enters a plea of nolo contendere; D) enters a plea pursuant to any of the diversionary sentencing statutes to any criminal offense described in subsection (d); E) is found guilty, or enters a plea of guilty or nolo contendere to the offense of attempting or conspiring to commit any such offense; F) is found to be criminally responsible as principal for the commission of any such offense; (d) except as provided in subsection (e), the provisions of subsection (c) shall apply to any conduct made criminal by the laws of this state.

(e) This section shall not apply to: (1) crimes for which the law imposes as a maximum possible punishment a fine of less than five hundred dollars (\$500) and no imprisonment; and (2) violations of the motor vehicle laws except driving under the influence of an intoxicant as prohibited by 855-10-205, where the reckless driving was proximately caused by the use of an intoxicant; (f) whether a person convicted of a crime is exempted from payment of the assessment imposed by this section shall be determined by the offense for which such person was convicted and the maximum possible sentence authorized by law for such person actually receives; (g) (1) the victims assistance assessment shall be subject to the provisions of 88-21-401 and shall be in addition to all other taxes, costs, and fines.

**WHEREAS**, The Child Advocacy Center serves child victims of severe sexual and physical abuse by offering services such as forensic interviews, court preparation, and victims advocacy; and

**WHEREAS**, The Child Advocacy Center requests to become the designated recipient of this fee. The Center shall receive forty-two (\$42.00) of the forty-five (\$45.00) dollars collected, with a three dollar (\$3.00) fee for processing and handling going to the court clerk; and

**WHEREAS**, this resolution take effect immediately upon its passage, pursuant to TCA 40-24-109

Attachment To  
Resolution No. 2011-12-119

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County Tennessee meeting in regular session hereby allow the Circuit Court Clerk of Sullivan County to be authorized to collect the forty-five (\$45.00) established "Victims Assistance Fee", and distribute forty-two of those dollars to the Child Advocacy Center.

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this 16th day of June 2008.

Attested: Jeanie Gammon  
Jeanie Gammon, County Clerk

Approved: Steve M. Godsey  
Steve M. Godsey, County Mayor

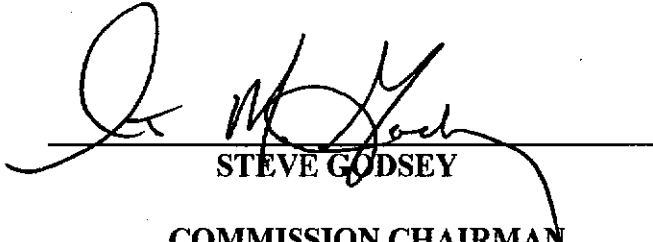
Sponsored By: Mark Vance

Prime Co-Sponsor(s): Buddy King, Cathy Armstrong, Joe Herron

2008-05-73	Administrative	Budget	Executive	County Commission
ACTION	No Action 6-2-08	Approved 6-5-08	Approved 6-4-08	Approved 06-16-08 22 Aye, 2 Absent

Notes: 1st Reading 05-19-08;

**AND THEREUPON COUNTY COMMISSION ADJOURNED UPON  
MOTION MADE BY COMM. WHITE TO MEET AGAIN IN REGULAR  
SESSION JANUARY 17, 2012.**

  
A handwritten signature in black ink, appearing to read "Steve Godsey", is written over a horizontal line. The signature is fluid and cursive, with a long tail extending to the right.

---

**STEVE GODSEY**  
**COMMISSION CHAIRMAN**